S. Hrg. 98-1015

IMPACT OF THE SOUTH FLORIDA TASK FORCE ON DRUG INTERDICTION IN THE GULF COAST AREA

HEARING

BEFORE THE

SUBCOMMITTEE ON SECURITY AND TERRORISM

OF THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

THE SCOPE OF THE DRUG PROBLEMS IN ALABAMA AND OTHER GULF STATES

Mobile, Alabama

OCTOBER 28, 1983

Serial No. J-98-103

Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON: 1984

36-722 O

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FRIDAY, OCTOBER 28, 1983

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON SECURITY AND TERRORISM,
Mobile, AL.

The subcommittee met, pursuant to notice, at 9 a.m., at the Riverview Plaza, Senator Jeremiah Denton (chairman of the subcommittee) presiding.

Also present: Senators Cochran and Hawkins.

Staff present: Joel S. Lisker, chief counsel and staff director; Frances R. Wermuth, chief clerk; and Edward Gatewood, congressional fellow, NSA.

OPENING STATEMENT OF SENATOR JEREMIAH DENTON

Senator DENTON. Good morning and welcome.

Before we begin our hearing I'm going to make a presentation to a former staff member, one who gave a great deal to this subcommittee in the way of devotion. He's from Mobile. He's back in Mobile. Bert W. Milling. Bert, where are you?

Come on up. Bert W. Milling, Jr., joined the staff of the Subcommittee on Security and Terrorism soon after it was established in 1981. He totally immersed himself in the work of the subcommittee from the first day he came on board in March of 1981 until the day he left, some 2½ years later. His contributions to his work on the subcommittee are highly significant and are reflected in the 34 hearings in which he played a major part. His work took him from Miami to Southern Africa to the Middle East, and the results which he has helped obtain have been dramatic and have been highly significant.

Bert, it's a pleasure to present you with this small token of our appreciation and to finally let Chris, who is here with Maran and Jeremy—Brooks is in school—know that all those nights you were out late working, you really were working. The plaque is inscribed to Bert W. Milling, Jr., for appreciation and loyal service, U.S. Senate, Judiciary Committee, 1981–1983. I want to wish you the best of luck in your new position as assistant to the U.S. Attorney for the Southern District of Alabama.

This hearing will come to order.

First I want to welcome to the hearing and to the State of Alabama and to my hometown city, Mobile, and to this hearing, my distinguished colleagues to my immediate left and right whom I will introduce later but whom you recognize immediately. I'd like to thank the

Riverview Plaza for the hospitality and many unusual courtesies extended to the subcommittee in making arrangements and accommodations, especially for the use of this large and very well equipped room free of charge to conduct our hearing.

The chairman of the committee which sponsored this hearing is Senator Strom Thurmond, and he is not known for expansive generosity regarding staff and senatorial trips. He's a watchdog for the taxpayers and I'm sure that he would want me to thank the hotel for the gratuitous extension of this room. I want to welcome all of you as we examine drug interdiction efforts on the gulf coast. The hearing will explore the scope of the drug problem in Alabama and other Gulf States, current efforts to halt the traffic including allocation of resources and future plans and programs. We will be taking an especially close look at coordination between Federal and local officials and we will try to identify problems susceptible to solution.

We are all sensitive to the drug problem. We know that drugs threaten the basic values, the order, the morality of our society. We're aware that with the success of the South Florida Task Force, drug smuggling appears to be moving to other parts of our coast both in the Gulf and in the Atlantic.

We will seek to assess the effects of drug smuggling on State and local law enforcement resources in Alabama and neighboring States.

I can assure you that the two Senators with me today and I are three who are most committed to the solving of the drug problem. The chairman of the Drug Enforcement Caucus, Senator Paula Hawkins of Florida, is here today as is Senator Thad Cochran who, among many other assignments, like myself also serves as a drug caucus member, as well as serving on the Subcommittee on Defense of the Appropriations Committee. It's my privilege to serve as subcommittee chairman of the Security and Terrorism Subcommittee which has jurisdiction over the Drug Enforcement Administration. The Administrator of the DEA will be our first witness.

The hearing will give the people of Alabama and our neighboring States the opportunity to understand better the formidable problems that face us in combating drug traffic. Further, we anticipate that the witnesses appearing today will provide us with more detailed information on new techniques for dealing with the drug problem as well as an appraisal of their applications. Besides the Administrator of the Drug Enforcement Administration, we have officials here today from the Coast Guard, FBI, and Customs Service. All these and a number of other agencies have committed tremendous resources to carry out the work of the Drug Task Force and the National Narcotics Border Interdiction System. We will also be hearing from State officials and from officials from Mobile who are working tirelessly to reduce drug trafficking and drug traffickers.

As a participating member of the Senate drug enforcement caucus, I have been actively involved in fighting the problem or working as closely as I can with Senator Hawkins, Senator Cochran, and the other able members of that caucus. Initially, I particularly wish to acknowledge in the field of drug fighting the leadership of Senator Hawkins for having had the idea of forming and having had the effectiveness of application of results in chairing the caucus. Senator Hawkins—to give you an idea of her energy and work capacity—will

have to testify today at 1 p.m. in Miami before the Immigration Subcommittee concerning the impact of Cuban and Haitian refugees. I thought I understood the impact of those refugees until I read the book "Monimbo," which is a sequel to "The Spike" which many of you have read and is coauthored by Robert Moss. It's fictional, but as Senator Hawkins told me as she was reading it, she felt a stark sense of reminder of reality regarding Miami. She must, therefore, depart this hearing early, so we will be introducinng her first although the colleague on my right is senior to us both. Her effective efforts in the sponsorship of Senate bill 1143 which passed the Senate the other day by a margin of 96 to 0.

All members of the Senate don't have many things upon which we agree unanimously. She told me humorously that the Attorney General asked her why, what happened to the other four, why were they against it? And she had to reply that they were absent that day. So there was no action against it and it's really a great bill. It links our foreign aid program to the individual efforts of the respective nations to which we give aid to their efforts to stop drugs, to the drug eradication program which they head up. And it's typical of the kind of resourcefulness she has shown in the field.

I have had to deal with drugs working with the FBI and a number of other areas in security and terrorism, and I am most pleased that Senator Hawkins has taken the time and pains to form the caucus which transcends committee assignments and adds more Senators to the field of fighting the drugs, and that's a necessary step. I've done the same thing in the field of family and welfare reform and hope to do the same thing with the caucus on security and terrorism.

On my subcommittee I have learned that, unfortunately and all to frequently, terrorist activity and drug trafficking go hand in hand. Indeed, in March 1982, we held hearings on the involvement of the Cuban Government in facilitating the international drug traffic in order to support terrorist activity throughout Central America and to destabilize the United States. The Cuban Intelligence Service makes perfectly clear that whatever they did in Nicaragua or elsewhere and what they were about to do in Grenada in today's news was at their disposal except that they had to keep in mind that the No. 1 target of all of the conquest and spreading the cancer of communism had to have as its No. 1 target the United States of America down the line.

The hearings brought about irrefutable proof that the Cuban Government facilitates drug trafficking to the United States by allowing drug smugglers to use Cuba as a safe harbor for offloading mother ships from Colombia. As payment to the Cuban Government, the smugglers then carry arms shipments back to Central America and give the arms to such units as the M–19, a terrorist unit in Colombia. Following those hearings, U.S. agencies involved in fighting the drug traffic publicly acknowledged for the first time that there was official Cuban Government involvement in drug trafficking. I am very pleased that we were able to make that contribution from the subcommittee.

Senator Cochran and Senator Hawkins recently convened a hearing in Biloxi, MS, on drug interdiction on the gulf coast. That hearing explored the specific law enforcement needs and problems faced by Mississippi. Senator Hawkins and I, along with others, held a similar hearing in Miami earlier at which time the Cuban connection was

again brought out and after which the President of the United States made comments regarding the Cuban connection.

I would now like to recognize my distinguished colleagues starting with the charming one on my left, Senator Paula Hawkins.

OPENING STATEMENT OF SENATOR PAULA HAWKINS

Senator HAWKINS. Thank you, Mr. Chairman. It's a pleasure to be with you in Mobile and I want to thank Senator Denton for convening this hearing. I think it's important to explore and solve the problems associated with illegal drugs. It's crippling this country and the people of Alabama are very fortunate to have a man as sensitive and aware of the problem as Senator Denton. I commend you for the intelligence you had to send him to the Senate. He is really a very valuable colleague. He throws himself at the solution of every problem and has been a strong member of the Senate drug enforcement caucus which I did found but which would be of no value without members like Senator Cochran and Senator Denton.

We have held hearings in Miami, Washington, DC, New York City, Phoenix, AZ, Gulfport, MS. Senator Cochran asked us to come there. And I'd like to tell you that it raised the awareness of the U.S. Senate to the point where we could hold 50 hearings. Senator Denton was very involved, as you all know, in posse comitatus which we finally passed in the Senate after we elected a Republican majority. And with his leadership allowed the military to cooperate with the local police when it comes to drug enforcement. So it's helping in your local war on drugs. I've watched with great interest how it is helping us in Florida. There's no group in the United States, I think, better trained to help in the war on drugs. And I believe it's a war for survival. If people think it's just a little skirmish, it is not. It's a war for survival. No subject should be second to that of the war on drugs. And the U.S. military is right there in front helping. It's the military's job, they do it well with the proper officials and the other branches of Government.

Drug traffickers are the enemy of every community and every family. I think we should remember that daily. The hearings we had in Gulfport, MS, at Senator Cochran's invitation show that maybe some of the attention that we have placed on Florida even though 90 percent of all the drugs are still coming through Miami through the United States have displaced some of the marketers of this vile product to other States. Senator Cochran is very concerned about Gulfport, MS, and his State wants to seal off its port. Senator Cochran wants the same.

I'd just like to tell you that my home State of Florida, once a vacation paradise for millions of Americans, became a victim of violent cocaine cowboys and thousands of other criminals involved in drug trafficking. Crime is the national aftermath of those dealings in drugs. In the late seventies and early eighties, criminals had virtually taken over and terrorized all of south Florida. Six of the eleven most crime-ridden communities in the Nation were in Florida, vacationland of the world. Of the 585 murders committed in Miami in 1981, 28 percent were committed with machine guns. Time Magazizne's cover story said that Miami was the Nation's "murder capital." That's what can happen if you don't pay close attention to the problem.

In February 1982, at my request and after the community in Miami organized the Citizens Against Crime, President Reagan established the Vice President's Task Force on Crime under the personal direction of the Vice President which was one of our recommendations because of the tug of war in the different agencies that we put in the task force. South Florida has received additional judges which we needed. We have more prosecuting attorneys than ever before and we have hundreds of additional law enforcement personnel. Help was solicited from the Department of Defense including the Navy, the Army, the Air Force, Marines, and the Coast Guard.

I'd like to tell you the results of the south Florida task force because it shows what can be done. Drug arrests are up 27 percent. Marijuana seizures are up 23 percent. Cocaine seizures are up 54 percent. In the past 16 months the task force seized nearly 3 million pounds of marijuana and more the 17,000 pounds of cocaine. The street value of those drugs is about $5 billion; staggering. As a result of the task force's effectiveness in Florida, drug smuggling, of course, has increased up and down the Atlantic coast, the Gulf of Mexico, across the Mexican border and into California. In response to that threat President Reagan on March 23 announced the establishment of NNBIS, the National Narcotics Border Interdiction System to protect borders throughout the United States. NNBIS will utilize the general principles and most successful interdiction techniques that we learned in south Florida.

And today we're going to be investigating the gulf region which runs from Apalachicola to Brownsville, TX. Recent intelligence reports indicate that major cocaine and marijuana mother ships are entering the Gulf States through the Yucatan Pass between Mexico and Cuba and the Windward Pass between Mexico and the Bahamas. And in an effort to plug these holes, I have proposed to the Vice President that ship-moored radar balloons be permanently placed in the middle of these passages. With their look-down type radar, as Senator Denton and I have discussed, these balloons could identify all suspicious vessels and order immediate interdiction. This would reduce blind searches and make interdiction much easier.

I compliment Senator Denton from the bottom of my heart for having this hearing and I look forward to the testimony that we'll gather. I would like to tell you that when we were in Miami we had the hearing that he reported and as a result of that hearing we have a book available if you'll write my office. It is called, "Castro's Role in Drug Trafficking." We will release it in the next few weeks in Miami. But after that time it will be available to the public and we'll be glad to distribute those copies to you. Senator Denton's record is most impressive and I thank all of you here today, especially those men and women that are involved right on the front line on this war on drugs.

Thank you from the bottom of my heart, Senator Denton.

Senator DENTON. Thank you, Senator Hawkins, for your leadership and for the extra pains you took to attend this hearing this morning and I know you will stay as long as possible.

The colleague on my right is kind of cozy up here because we're neighboring State representatives on the Defense Subcommittee of the Appropriations Committee which is relevant to the posse comitatus results which we were able to obtain by which not just the Coast Guard

but the other military services, the Navy and the Air Force, have been introduced to the fight against drugs. Senator Cochran also has a number of other committee assignments of importance but we're not mentioning any except those relevant to this hearing this morning.

I must say that it's nice to be fighting alongside such a man because I know from experience with him on the tennis court, he is an extremely bitter competitor.

Senator Thad Cochran, welcome to Mobile.

OPENING STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Thank you very much, Senator Denton.

It's really a pleasure to be here in Mobile today with these two distinguished Senators to look into the progress being made in this area in interdiction and drug smuggling. I just happened to notice that all the Senators here are Republicans. I was assuming that you knew the Democrats were in New Hampshire and Iowa, those are the early primary States. We are not involved in that so we can be down here.

We wanted to get an update, really, from the witnesses who will be appearing today on the cooperative efforts that are being made between State, local, and Federal law enforcement officials to try to stop drug smuggling in this gulf coast area. The tremendous success of the South Florida Task Force has pushed drug smuggling activities up the coast into Mississippi and Alabama. Our hearing showed very clearly over in Harrison County, MS, that Alabama and Mississippi now are prime entry points, second only to south Florida, for illegal drugs. And the fact of the matter is that today illegal narcotics pose to our great country a very grave threat. And statistics show that this threat comes largely from outside of our own borders. Approximately 90 percent of the illegal drugs in the United States are smuggled in from outside our borders. So that's why it's important to look at ways to stem this flow of illegal drugs.

Senator Denton clearly showed in hearings he chaired in Washington back in 1982 that the Cuban Government is directly involved in drug trafficking, that there is a definite link between that activity and international terrorism. He's to be complimented on his initiatives in these areas. Of course, Senator Hawkins, as Jerry said, has been the key Senator in Washington coordinating the efforts of the entire Senate to try to make more effective our laws and our procedures on drug smuggling. So it's great to be here with both of you Senators. Thank you for calling the hearing and inviting me to participate in them. I'm looking forward to the testimony from the witnesses.

Senator DENTON. Thank you very much, Senator Cochran.

Our first witness, as I said, is the Administrator of the Drug Enforcement Administration. I'll ask him to come forward. It's a pleasure for me to welcome today as our first witness Francis Mullen, who was recently confirmed by the U.S. Senate as Administrator of the Drug Enforcement Administration. Having served as acting Administrator for quite some period of time, Mr. Mullen has served long and well in key positions in the Federal Bureau of Investigation which provide him with the background as well as establishing his outstanding reputation. I know that President Reagan and Attorney General Smith have placed special confidence in this man whose job it is to address

such formidable tasks. Bud, I'm very pleased that you could be with us today in my State, my hometown. And I know that my colleagues are anxious to receive your testimony.

TESTIMONY OF FRANCIS M. MULLEN, JR., ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

Mr. MULLEN. Senator Denton, I thank you for the invitation to appear before your subcommittee today. I am personally aware of your deep concern for our country, especially its youth and the relationship to our drug abuse problem.

I have appeared before you on other occasions and have described the nationwide drug problem. On this occasion, I'll concentrate on the gulf and the States in this particular region. Before I go forward, however, you did mention my confirmation proceedings and the recent confirmation by the entire Senate. I have to say with all due respect that it was not a pleasant experience. The process went on for an especially long time. But it did point out to me the help and the loyalty of individuals such as yourself. You and Senator Hawkins and Senator Cochran were with me at the beginning and you were with me at the end. I assure you that that confidence and trust will not be misplaced as we go forward now with the drug enforcement effort. I thank you for that.

With regard to the Gulf States region, the two drugs most frequently encountered in the illicit traffic in Alabama, as well as throughout the gulf coast and the Southeast United States are cocaine and marijuana. All of this cocaine and much of the marijuana available in this area and throughout the United States is cultivated and processed from agricultural sources in Latin America or the Caribbean. Colombia continues to be the primary source of marijuana and cocaine destined for the United States. Jamaica has become an increasingly important marijuana source for the United States. Similar to many other countries in the Caribbean, Jamaica is also a transshipment country of illicit narcotics. Numerous islands in the Caribbean provide a series of stepping stones through which traffickers transit drugs en route to the United States.

The indictment in 1982 of high-ranking officials in Cuba and the hearings you and Senator Hawkins held earlier this year in Miami have brought to the attention of the public and the international community for that matter, the complicity of Cuban Government officials in the illicit drug trade.

Until progress is made in eradicating a significant percentage of the coca and marijuana cultivation in Latin America, interdiction and dismantling of the major smuggling and trafficking organizations must be primary strategies in attacking the illicit drug trade. The present administration has significantly strengthened and improved the resources by which we implement these strategies.

The organized crime drug enforcement task forces are now operational throughout the country to investigate and prosecute major organized criminal groups involved in drug trafficking. This initiative has brought greatly increased resources into the drug enforcement effort generally and specifically has benefited the Gulf Coast States. I will elaborate further on this in a few minutes.

Additionally, the granting of concurrent jurisdiction to the Federal Bureau of Investigation has substantially enhanced our investigative capabilities. We are now seeing positive results and expect significant achievements in the months ahead. Our divisional office in New Orleans has jurisdictional responsibilities in four Southern States: Alabama, Mississippi, Louisiana, and Arkansas. All except Arkansas have coast lines on the northern Gulf of Mexico. The division encompasses an area of 200,000 plus square miles and has a population of over 12 million. There are a total of 671 airports within the area as well as an estimated 1,000 landing strips which could be used by small aircraft. There are six deepwater ports including New Orleans which in terms of gross tonnage has surpassed New York.

Six hundred miles of jagged, irregular coastline makes the State of Louisiana especially attractive to maritime smuggling. This coastal area, largely unpopulated, has long been used as a haven for smugglers.

Alabama and Mississippi are equally as attractive for narcotics smuggling. Alabama has over 100 miles of shoreline available to the maritime smuggler. Mobile is a major deepwater port for international shipping. Mississippi has deepwater ports in Gulfport and Pascagoula capable of handling large cargo vessels and numerous banana boats from South America. A chain of uninhabitated islands off the coast of Mississippi have been utilized on numerous occasions to facilitate smuggling.

Although Arkansas is not as attractive for air smugglers as the previously mentioned States because of its distance from the coast, several instances of marijuana smuggling have been reported. Utilizing large aircraft such as a DC–6, air smugglers can penetrate deep within our borders. And recently such an aircraft was seized in Utah with 25,000 pounds of marijuana after a flight which originated in Colombia. Arkansas has limited access for maritime smuggling through the Mississippi River which forms the eastern boundary of the State.

As you might anticipate in considering the hundreds of miles of shoreline available to the maritime smuggler within the jurisdiction of the New Orleans office, a large percentage of their drug removals are seizures involving multiton shipments of marijuana and multipound shipments of cocaine. Cocaine seizures in the four-State area increased from 85 pounds in 1981 to 1,560 pounds in 1982 to approximately 1,700 pounds thus far in 1983. Over 1,500 pounds of this cocaine were seized by local authorities here in Alabama from just two aircraft.

Marijuana seizures in this same geographical area have declined significantly from 340,000 plus pounds in 1981 to approximately 100,000 pounds in 1982 and down to 85,000 pounds to date in 1983. Nationwide statistics reflect a reduction in the amount of marijuana seized from maritime vessels by U.S. personnel from 1,011 metric tons during the first 6 months of 1982 to 612 metric tons during the first 6 months of 1983. We think several factors are involved in this reduction: A low-yield fall crop in Colombia during 1982 due to unfavorable weather; more effective Colombian enforcement activity and intensified interdiction efforts which have proven especially successful; and we also see a weakening demand in the United States.

In Alabama and throughout this general area we are seeing marijuana smuggling efforts involving smaller vessels and small, private single and twin engine aircraft that are flying either to Jamaica or Colombia bringing back quantities ranging from 500 to 1,500 pounds per load. This a notable shift from the use of large fishing vessels which are capable of holding quantities of 25,000 to 40,000 pounds or large military surplus aircraft which could hold 5,000 to 18,000 pounds. I think this particular phenomena relates to what Senator Hawkins said earlier and points to the success of the interdiction effort presently in south Florida.

I believe that the concentration of resources in south Florida and in the Caribbean passages has yielded positive results. Certainly, large scale marijuana smuggling into the gulf area as well as directly into Florida is down, although some vessel traffic has moved up the east coast into Georgia and the Carolinas. Also it appears that some air traffic has been diverted from Florida to nearby States. But our investigations reflect that the drug trafficking organizations are still centered in south Florida, and in many cases, especially those involving cocaine, the drug is physically transported back to south Florida for distribution even though it was smuggled into the country via a gulf or east coast State. We are aware that the traffickers will react to enforcement pressures and through a flexible response we plan to constantly attack their organizations and smuggling routes.

While the smuggling of marijuana processed in other countries still provides the bulk of the marijuana abused in this country, I should note that cannabis cultivation in our own country has increased significantly in the past several years. We estimate that as much as 20 percent of the total U.S. supply is provided by domestic production and much of this is on public lands. Together with other Federal and State authorities, DEA has mounted a national marijuana eradication and suppression program in this country.

As you are well aware, DEA, in cooperation with the U.S. Forest Service, sprayed paraquat on illicit marijuana cultivation sites on national forest land in Georgia and Kentucky. Our Ambassadors have remarked that the eradication and enforcement actions in the United States are important not only because they reduce the domestic availability of marijuana but also because they demonstrate to other nations that we are willing to take necessary measures to curtail our domestic production. I might say that we are now operating under a restraining order, we are prohibited from using paraquat even though we had 4½ million pounds sprayed on over 10½ million acres throughout this country for agricultural purposes. And we are being prohibited from using this in a domestic eradication program. This will not cause us to stop the domestic eradication program and we plan to go forward and enhance this program next year as we prepare an environmental impact statement dealing with the use of paraquat.

In closing, Senator, I want to leave you with a status report on the relationship the DEA has with our counterpart enforcement agencies in Alabama.

The DEA presently has two separate offices located in the State of Alabama. One office is located in Mobile and is staffed with a resident agent in charge plus four special agents. The Alabama Bureau of In-

vestigation has four investigators assigned full time to our Mobile office who work side by side with our special agents. I cannot overstate the value of the assistance DEA has received from the Alabama Bureau of Investigation.

The other office is located in Birmingham and is staffed with a resident agent in charge and one other special agent. Because of the resource enhancements of the Organized Crime Drug Enforcement Task Force, the Mobile office is being expanded by three special agent positions and the Birmingham office is being augmented by one special agent position.

Close cooperation between DEA and State officials was apparent in the investigation relating to the seizure of approximately 730 pounds of cocaine on an airplane at Dothan, AL. The initial investigation was conducted by the Dothan, AL, Police Department and the Dale County Sheriff's Department. After securing the airplane and the cocaine, Chief Kater Williams of the Dothan, AL, Police Department and Sheriff Bryan Mixon of the Dale County Sheriff's Department contacted DEA and requested our participation in the investigation which continues even today.

Another example of close cooperation between DEA and State law enforcement officials involved the seizure of approximately 815 pounds of cocaine in Montgomery, AL. Maj. Bob Milner of the Alabama State Narcotics Unit contacted DEA for participation in the continuing investigation. Thus far, seven defendants have been arrested and two vehicles and an airplane have been seized in addition to a substantial amount of cocaine. These are but two examples which depict the close cooperation and assistance between DEA and other law enforcement agencies.

There's no question that the current trafficking trends situation present a substantial challenge. But I'm confident we are equipped to meet that challenge.

I'm prepared to answer any questions any of the Senators may have.

Senator DENTON. Well, thank you very much, Mr. Mullen.

You mentioned the Mobile DEA resident agency as being comprised now of a senior resident agent and four special agents. That they will have their staff increased by three special agents bringing the entire compliment to eight. You further state that the Birmingham resident agency which now consists of two agents will be increasing by one agent bringing that compliment to three. Would you tell us when those increases will take effect?

Mr. MULLEN. Those increases have already been ordered and I would anticipate that the agents will be assigned within the next 30 to 60 days if they have not arrived already.

Senator DENTON. I know that you are overextended in terms of the extremely difficult tasks you have. But would you regard that staffing as more or less adequate or would you continue to press for additional manpower?

Mr. MULLEN. I would not consider that staff adequate. But as you indicate, we do have pressing needs and will continue to press for additional agents. I might add that when I came to DEA 2 years ago, we had 1,806 agents and in danger of going below 1,800. At the end of the 1983 fiscal year, we went past 2,100 agents and I anticipate by the end of the 1984 fiscal year we will be close to 2,300 agents. And

you add to that total, Senator, the 800 FBI agents now working drug matters throughout the country then we're talking about better than an 80-percent increase in investigative resources at the Federal level. And as we enhance even further, you can expect additional agents in this area.

Senator HAWKINS. Excuse me. Do you have any IRS people?

Mr. MULLEN. I do not know how many IRS and customs agents are also involved in the drug effort. But that would add substantially to that number.

Senator DENTON. As you know, the President, during his formation of the platform and his campaign and during his term in office, expressed his desire and proved his sincerity regarding the effort to raise the number of our armed services. We've tried to, and I think successfully to a degree, to present him with the analogy that our intelligence organization and our Drug Enforcement Administration should be considered in the same light. They are fighting a battle which has to do with our security and well-being, both of which are threatened in a number of ways. And I believe we've had some progress with that principle.

Mr. MULLEN. I believe we have also. And one Senator, it might have been Senator Hawkins, who used the term, domestic defense, as being as important as our national defense. And I agree with that statement.

Senator DENTON. Is there a correlation between numbers of investigative staffs on cases indicted and successfully prosecuted? I know it's an obvious guess answer, but can you give us some rough idea of that correlation?

Mr. MULLEN. I can go back even further, and at one time DEA would have a substantial number of arrests. I believe, for example, in fiscal 1983 we had better than 12,000 arrests in the drug area. And we are increasing the number of convictions. For example, a higher percentage of those arrested are now being convicted. Of those indicted, 97 percent actually go on to conviction.

Is that the answer you're looking for, Senator, 97 percent conviction on the part of those indicated?

Senator DENTON. Is indictment and prosecution always the correct way to go, or should we simply concentrate our efforts on building prosecutable cases?

Mr. MULLEN. You have two schools of thought there. There are those who would believe we can gather intelligence and be aware of the drug problems from the enforcement prospective. I am convinced that the eventual solution is the investigation, prosecution, and conviction of those responsible, especially those at the higher levels, those who will profit from the drug enforcement effort. And going a step beyond that, we must seize their assets. And in 1983, the DEA and related Federal agencies will have seized assets in excess of $200 million. There will be cases, there will be certain cases whereby the prosecution perhaps cannot go forward because of the question of sources of methods and the intelligence gathered. But as a general rule, I believe we must seek prosecution.

Senator DENTON. I have not finished my questions and Senator Cochran has questions. We normally go about 10 minutes apiece. But in view of Senator Hawkins' need to depart for another hearing, I

would defer to her with Senator Cochran's acquiescence and ask her to ask any questions she has.

Senator HAWKINS. Thank you, Mr. Chairman.

You stated, the DEA agents, in your statement that you have DEA agents in 25 cities and 16 countries. I just have the report back from Bolivia that for the past 4 years we've had one and a half DEA agents. I don't know what that means, one and a half DEA agents in Bolivia.

Mr. MULLEN. He wasn't working too hard.

Senator HAWKINS. And it's recently been increased to four under your direction. Of these 25 cities and 16 countries, don't we really get a better payback having the DEA agents stationed in the countries of the source?

Mr. MULLEN. We really do. And to explain the Bolivian matter and expand slightly on it, in Bolivia there was a period of time they may have served there for a half a year, I'm sure that's the one-half. But we had a government in Bolivia that was not cooperating, in fact, the former government was actually facilitating drug trafficking, especially cocaine. An official of that government, Colonel Gomez, has been indicted and is being held in Argentina for possible extradition to the United States. So it didn't pay us to have the agents down there because they could not function without the cooperation of the Government. We now have a new government in Bolivia and the current administration, the current President has taken a hard line against drug trafficking. We now have six agents in Bolivia and my goal is to double that number in the short run. We can only absorb so many. We have to put them in systematically. But I would hope perhaps in the next 12 months, 6 to 12 months.

Senator HAWKINS. How about Colombia?

Mr. MULLEN. In Colombia I'm not certain of the number. I believe we have 16 agents there and I understand we've been asked for 16 more.

Senator HAWKINS. That's good. Recommend that they have them.

Mr. MULLEN. I'm going to have to take them out of Alabama. No. And we will look for ways. I believe that our overseas agents can be more effective in source countries, more so than in the well-developed and industrialized countries, say in western Europe, they can perform more of a liaison function and can be more effective in Latin America.

Senator HAWKINS. Well, we here on the gulf and on this coast have a deep concern of stopping it at its source, which is the best place.

Now I have to leave and I really apologize because I'm so interested in the subject and would love to stay all day. But if you could provide for the record, for the Senators here, how many agents we have in the Latin American countries and how many you propose, what you really need. I know we have budget restraints but at the same time when you're talking about apprehension in the United States, the appeal process in the United States, the many, many tricks that can be formed magically here through the legal circles, it seems to me that one of the best paybacks for us is to see that you get the number of people that you feel are necessary in the country of the source without displacing anybody from Alabama. I'm not here to displace any from Alabama or from Mississippi.

Mr. MULLEN. I said that in jest.

Senator HAWKINS. I know you did. The amendment was passed 96 to 0, which denies foreign aid to those countries. I will tell you that I heard prior to its passing from every one of the Latin American countries that it made the front page of the Bolivian newspaper. They are very concerned about that. And also with the eradication efforts they should be making in exchange for any money at any of the multinational banks, world banks, we want to close all those windows including foreign aid from this country. We need somebody there I think on our team to certify exactly what they are doing. So I think it would be a good exercise for this caucus to know what you need and how soon you need it.

Could you tell me what the El Paso Intelligence Center contributes to the gulf coast drug interdiction effort?

Mr. MULLEN. El Paso Intelligence Center makes a substantial contribution to the gulf coast, to all four States I mentioned earlier. We maintain records on the violators, the aircraft that are being used and the vehicles and ships. And we can get an instant response back to the local department or State agency or our Federal agencies should they have a question or a query regarding something they may have seized or a ship or something like that. I think the contribution is substantial. And the El Paso Intelligence Center is perhaps one of the finest programs that the Drug Enforcement Administration has.

Senator HAWKINS. I'm glad to hear you say that. I feel very good.

My final question is: What is the principal drug of abuse in Alabama?

Mr. MULLEN. Well, Alabama has an abuse problem with all of the drugs.

Senator HAWKINS. What's the principal one?

Mr. MULLEN. Cocaine. That seems to be the growing drug abused throughout the United States.

Senator HAWKINS. Does it stay in Alabama or is that just like Florida, is some being consumed here and then distributed in other States?

Mr. MULLEN. It's being distributed in other States, it goes up to other States. As I mentioned in my prepared statement, we're finding that drugs even though they come in in other areas, they seem to go back to Florida for distribution. They're still No. 1.

Senator HAWKINS. Well, the point I'm trying to make is if it's an Alabama problem, if it's a Mississippi problem, if it's a Florida problem, it's a national problem.

Mr. MULLEN. That's right, it certainly is. And that's why we do put a lot of resources in Florida. We have 200-plus agents in Miami. What they're doing in south Florida certainly has an impact on what is happening over here. And as the traffic has moved, we'll move.

Senator HAWKINS. Thank you. I think you do a remarkable job and I'm glad you're on the job full time now.

Mr. MULLEN. Well, I am too. And, Senator, I don't want you to leave without commending you for your work. And please keep it up.

Senator HAWKINS. Thank you.

Senator DENTON. Thank you, indeed, Senator Hawkins. You'll need to depart now. We will be calling a 10-minute recess in order to permit

Senator Hawkins to avail herself of some questions from the media. Before we do that and having heard from a delightful lady who, believe it or not, is a grandmother, I would like to introduce another delightful lady, the most important one to me in this room, my mother, Mrs. Irene Denton. Would you please stand, Mother.

The hearing is in recess for approximately 10 minutes.

[A short recess was taken.]

Senator DENTON. May I ask our audience to resume their seats, please. The hearing is resumed.

And I defer to my senior colleague and friend from Mississippi, Senator Cochran.

Senator COCHRAN. Thank you, Senator Denton. I have just a couple of questions.

MONETARY CEILING FOR DRUG INVESTIGATION

First, is there a requirement because of budget constraints for you to impose a monetary ceiling on a drug investigation before DEA will become involved with local officials? I ask this because of an encounter I recently had with local law officials in one of the counties in Mississippi which I visited where they were about to begin an investigation that they thought involved a good deal of marijuana, possibly some cocaine and other illegal drugs. They called the DEA office in Jackson, I think, and they were told—in effect, of course, this is second and third hand kind of information so I don't know how reliable it is—that unless they had really good information that there were a lot of drugs involved that were of high value, DEA just really couldn't allocate personnel to that kind of investigation at that very early stage. Is that a problem all around the country? Are you having to carefully pick and choose which cases you directly become involved in with the local officials because of the lack of resources?

Mr. MULLEN. No. There is not a monetary limit and we do not pick and choose, so to speak. We do at the Federal level try to concentrate on the higher-ups, those individuals actually controlling a narcotics cartel. What we do try to avoid is having our agents out on the street making buys, relatively minor buy/bust situations, we try to concentrate on groups. But there is no limitation on the amount of money, amount of drugs. But often you have to start at the lower levels and move up the ladder. So I do not believe that is accurate information. If you can get the facts for me, I'll take a look at the specific case.

Senator COCHRAN. OK. I may get with you later and let you know the name of the county and the local law enforcement official who confronted me with what they perceived to be a problem of lack of cooperation or lack of interest. They assumed it was because this was small-time business and didn't involve enough money and tons of marijuana.

Is it a problem with agents, too, or agencies, wouldn't they like to have the high profile, high publicity busts rather than a series of smaller, low-profile activities?

Mr. MULLEN. Not really. I was interviewed just this past week by CBS because so many important names in entertainment and the professional athletic areas are becoming involved in drug cases. And the thinking was that perhaps we are concentrating on these areas because

of the high publicity it gives you. And it grieves us, we do not like to resort to these type of cases. But they're out there and we must investigate them. We don't shy away from an investigation because of that or shy away because of the lack of stature.

MARIJUANA ERADICATION PROGRAM

Senator COCHRAN. There is an effort, I understand, by the DEA to assist in a marijuana eradication program in Mississippi. Could you tell us about that and how that is going?

Mr. MULLEN. Yes. We have a nationwide marijuana eradication program. In 1982 it involved 25 States. In 1983, 40 States. Ten States are still not involved. And that is proceeding well. Nationally we eradicated, in 1982, 2.5 million plants. And we roughly estimate that one plant is equal to 1 pound. In 1983, that has increased to 4 million plants eradicated nationwide and the count is still going on. In Mississippi in 1982 it was just over 41,000 plants eradicated. And in the first 9 months of this year, there were 43,000 plants eradicated. So we see improvement and we expect we could well see 50,000 plants. I believe that program is going very well and, as you know, Carlton Turner, who is a Mississippi native, is the White House Policy Adviser and he's especially interested, too.

Senator COCHRAN. That's right. Carlton Turner has, in my opinion, done an outstanding job as adviser to the President, and we're glad he's from Mississippi. He was involved with the University of Mississippi in experimental research projects and was quite successful. And we're glad to see the degree of cooperation between the White House and the DEA. I think that speaks well for both you and Carlton and the fine work that both of you are doing. Thank you very much.

Senator DENTON. Thank you, Senator Cochran.

Mr. Mullen, would you comment on any noticeable differences in the techniques and methods used to smuggle cocaine as opposed to those used to smuggle marijuana and what separate law enforcement strategies you employ for that difference?

Mr. MULLEN. Of course, the marijuana comes in in bulk quantities and we normally see that brought into the country by vessel, ocean-going vessels, rather than aircraft. Although, as I mentioned in my statement, there are occasions where small aircraft and large aircraft are bringing in marijuana.

With regard to cocaine, we see that brought in mostly by air. And we'll see the cocaine concealed in cargo as we had the case in Tampa, FL, involving the Colombiana Airlines where the cocaine was flown in and concealed in a shipment of blue jeans. If I could go one step further, we have heroin coming into the country from Mexico and Southeast Asia and Southwest Asia. And we see that smuggled in in a variety of ways. And the most recent one was a shipment of tile that came from Italy. We had to drill into the tile to locate the heroin, and we were able to locate 40 pounds of heroin in that manner. So the means vary and I'm sure the Coast Guard can add to this.

Senator DENTON. Regarding the Cuban safe harbors for offloading and the stories that we have heard of high-ranking Cuban naval officers overseeing these transfers and payments, our interviews resulted in a series of hearings in March 1982 as previously mentioned

and we had joint hearings, as you know, and you attended with the Foreign Relations Committee and the drug enforcement caucus in Miami in April 1983. I would like to note that we do have Senator Helms' Foreign Relations Committee representative here, and Senator Heflin who was invited has a representative here, Mr. Briskman. But these interviews and the hearings involved testimony by a number of convicted drug smugglers about their contacts with Cuban Government officials and the assistance which they received. Can you update us at all, is Cuba continuing to assist drug smugglers by availing safe harbors to them for offloading, are the drug smugglers still running weapons in barter, as it were, for the service of drug runners from Colombia who wish to supply the M–19 Guerrilla Organization in Colombia?

Mr. MULLEN. Senator, as you are aware, I've testified on several occasions regarding this matter. And being an investigator, I moved very cautiously at first wanting to have evidence before publicly stating that I was convinced that the Cuban Government was involved in facilitating the drug trafficking. I am now convinced, as I have stated in prior sessions, that there is Cuban Government involvement in drug trafficking. And there have been indictments which have occurred of high-level Cuban Government officials and other information which must remain classified and confidential at this time. And, yes, this trafficking is in part to support guerrilla activities, especially in Colombia.

Senator DENTON. Just to relate that to current events, the situation in Grenada closely involved our having found that the Cuban workers there were in greater number than we thought and were, indeed, combat engineers politically involved in the takeover. There was a Russian four-star general there whose previous experience indicated that he had an expertise in a history of development of strategic bombing projects for the Soviet Union. He was probably in charge from Grenada of the installation of runways all over the Caribbean which could have done a lot of things, among them, interdict trade. They could also have been used to bomb countries in Latin America. And I hope that the day will come soon when the national media are a bit more receptive to publishing information about the drug terrorist monstrosity. This information has been covered in hearing in our subcommittee, but the American public is not aware of these happenings. The media rarely appeared at that hearing, our hearings, after the first one in which we disclosed the degree to which the Soviet Union is involved in international terrorism. For some reason, they don't want to make that news. But I assure you there's a lot of news there and what we just did in Grenada was to nip off at the bud a very dangerous development in the Caribbean.

Paraquat, Mr. Mullen, is a low-yield crop due to weather conditions in Colombia? You mentioned the problem there. But there has been a reduction in the number of seized vessels which is an argument in favor of paraquat spraying.

Mr. MULLEN. I'm sorry.

Senator DENTON. You mentioned the probability that some of the traffic had been cut down from Colombia because of the weather's adverse effects on the crop?

Mr. MULLEN. Correct.

Senator DENTON. Doesn't that constitute a good argument in favor of paraquat spraying? And I raise that issue because, for example, in the case of Cuba where they have become heavily involved in the growth of such products, would it be morally justified to spray without permission of the Government?

Mr. MULLEN. Well, that's a question I'd probably defer to the State Department.

Senator DENTON. I would, too. But I just wondered if it didn't tend in that direction, to at least ask that question.

Mr. MULLEN. But with regard to the use of paraquat, it is not used in Colombia at this time. It has been used for many years and very effectively in Mexico. In fact, Mexico probably has the best marijuana eradication program in the world. And I believe it's incumbent upon this country to use paraquat if we are to demonstrate to the Colombians our willingness to eradicate our crops. And I can recall a press conference held in Washington, it's been almost 2 years ago now at which the Colombian Ambassador to the United States was present and was asked by a reporter: When are you going to start using paraquat which could be used effectively in Colombia? And he said, when you do it in California. And that's a difficult argument to counter and that's why I believe we ought to use it on a selective basis where it can be effective in this country.

Senator DENTON. Well, we'll be very curious as to the degree to which it may be used in Alabama and we'll be asking Alabama officials about that and other antidrug growing measures that it takes to clean up our own house before we demand it of others.

Do you have any evidence connecting Robert Vesco with drug trafficking?

Mr. MULLEN. We have had allegations but we do not have any evidence of Robert Vesco being connected with drug trafficking.

Senator DENTON. Are you able to provide local officials with timely intelligence on narcotics or do you have to withhold some information and, if so, do you think that situation needs a look?

Mr. MULLEN. No, I believe we are able to provide timely intelligence. I know of no major problem in that area. There may be selected cases where we have people involved in drug trafficking when we do not make certain information available. But in 98 percent and maybe even 99 percent of the cases, we are able to make timely intelligence available and do so.

Senator DENTON. How about the cooperation of our designated intelligence agents who have been providing you with timely and comprehensive intelligence information?

Mr. MULLEN. The amount of intelligence now being provided by the intelligence community has never been greater. We believe that the agencies with the responsibilities for intelligence gathering are fully on board now. And, as I mentioned earlier, there will be occasions where that type of intelligence cannot be disseminated because of perhaps higher considerations. But those instances should be relatively rare.

Senator DENTON. One of the ladies of the press asked me this question, and I will ask you, it amounts to: Can we win the war against drugs and, if so, how, how much more in the way of resources would it take?

Mr. MULLEN. My answer to that question is unequivocal, yes, I believe we are winning. I believe we are going to get to a position where we'll have to stabilize this situation first, that is, it's not going to get any worse. And I see that happening right now with regard to marijuana, with regard to heroin. Cocaine remains a serious problem. But I believe that we have to keep on with what we are doing, the cooperative efforts, the increasing resources, the support of every segment, the Congress, the public, and the press which we are getting. The final answer probably is to cut off the demand and the education and rehabilitation programs are perhaps essential. What we're doing in law enforcement with the assistance of the military and Coast Guard efforts is perhaps a holding action until we educate the public, starting right at the elementary school level. I think we'll always have a problem but we're seeing the decreasing demand for marijuana, the awareness on the part of the public, especially young people. I think we are winning and I would hate to quit while we're winning.

Senator DENTON. Senator Cochran, do you have any further questions?

Senator COCHRAN. No, I don't, Senator. Thank you very much.

Senator DENTON. I would like to thank you, Mr. Administrator, for your extremely valuable testimony and observations and ask, before releasing you, if you have any further comments that you think may be relevant to this hearing.

Mr. MULLEN. Thank you. I have no further comments. If I do, I'll submit them in writing.

If I may add as regard to Senator Hawkins and to both of you, your efforts have been invaluable and I can only ask you to stay with us as you have in the past.

Senator DENTON. Thank you. And as usual, we may be submitting questions to you in writing to which we will require a response. Thank you very much, Mr. Mullen.

Mr. MULLEN. Thank you, Senator Denton.

[The following was subsequently received for the record:]

DEA RESPONSES TO WRITTEN QUESTIONS OF SENATOR DENTON

ENCRYPTED TRAFFIC

Question. Has there been an increase in the sophistication and volume of encrypted radio traffic among drug traffickers?

Response. Drug trafficking organizations are utilizing sophisticated and expensive communication and navigation equipment in their activities. The profits from their illicit operations provide them with the capability of purchasing the best equipment available. We do not know of any instance in which a drug trafficking organization has employed mechanical encryption devices on their communication equipment. We do know of repeated instances of their monitoring of our radio communications which can be accomplished with equipment that costs less than $200. This is the primary reason for our pursuit of voice-privacy communications capability. Illicit organizations are also engaging in counter-surveillance and monitoring their facilities and equipment in search of devices used by enforcement authorities.

DRUGS IN PROFESSIONAL SPORTS

Question. An account in the New York Times says that ballplayers seem to be responding differently this year to the annual spring training lectures on drugs and gambling given by the FBI and DEA. How are you doing in cutting back on drugs in professional sports? Any headway being made?

Response. There is no segment of society that is immune to the threat posed by drug abuse. The particular circumstances attendant to a career in professional athletics possibly increases the threat of drug abuse to professional athletes as a group. The consequences of involvement however in the use or trafficking of illicit drugs have become known, and painfully so, throughout the ranks of professional athletes especially in the last year or two. The various leagues have in many instances adopted stern punitive measures. At the same time the leagues are offering counseling and treatment programs. We are hopeful that there will be a significant reduction in the number of instances of illicit involvement with drugs on the part of professional athletes.

DEA is presently conducting an effort to reach 5.5 million student athletes at 20,000 schools in the nation with a drug abuse prevention program for coaches and athletes. This program involves the organizational network of the National High School Athletic Coaches Association (NHSACA) that consists of 48,000 members and 33 affiliate state associations reaching 50 states.

Senator DENTON. I will ask our next witness to step forward, Rear Adm. William H. Stewart, U.S. Coast Guard.

Admiral Stewart is the commander of the Eighth Coast Guard District and more germane to this hearing today. He is the coordinator of the national narcotics board interdiction system, gulf coast region. I would like to extend a warm welcome to you, Admiral Stewart, and ask if you have an opening statement.

STATEMENT OF REAR ADM. WILLIAM H. STEWART, U.S. COAST GUARD, COORDINATOR, THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, GULF COAST REGION

Admiral STEWART. Good morning, Mister Chairman, Senator Cochran. With your permission, sir, and in the interest of brevity, I am testifying before this committee with two hats, if you will. I will make one prepared statement and I will submit the other for the record.

Mr. Chairman and members of the committee, I am Rear Adm. William H. Stewart, regional coordinator for the national narcotics border interdiction system, gulf region. I assumed the duty of regional coordinator for the NNBIS system on June 17 of this year. I welcome the opportunity to discuss our interdiction effort with this subcommittee.

The gulf region of NNBIS encompasses a very large water area, 111,500 square miles of the Gulf of Mexico, Yucatan Pass, and Caribbean Sea. It includes the border areas of the States of Alabama, Louisiana, Mississippi, Texas and part of the State of Florida.

Manning of the New Orleans center on a permanent basis is in full swing. We currently have 29 people on board from the Coast Guard, Customs Service, the Department of Defense, the Drug Enforcement Administration, the Border Patrol, the Federal Bureau of Investigation, New Orleans Police Department and the Louisiana State Police. We will be up to full strength soon. And at that point, people from each of the Federal agencies who have a role in drug interdiction, the national intelligence community plus State and local representatives will be actively engaged in a coordinated drug interdiction effort in the gulf region. The bulk of the manpower is being provided by the Coast Guard, Customs and the Department of Defense.

The construction of the gulf regional center was essentially completed on September 1. It is currently located on the 13th floor of the Hale Boggs Federal Building in New Orleans.

The center is being divided organizationally into three parts: Operations information center or OIC, intelligence information coordination center or IICC, and the air operation section. The air operations section will be housed at Tyndall Air Force Base in Panama City, FL. All three groups, Mr. Chairman, will report to a staff director and then directly to me. The IICC will look at the total tactical intelligence picture for the region with information from all possible sources and present to the OIC a picture of the criminal activity in the area. The operations information center will coordinate intelligence with resources and recommend action to the command and control element of that particular resource. The air operations section will vector and advise air resources of the location of air targets for further investigation and possible interdiction.

To ensure coordination with the organized crime drug enforcement task forces set up last year by the Attorney General, a strong liaison link will be established with each regional task force coordinator. For example, one of the agency task force coordinators assigned to the regional drug task forces in this area will be advised of all cases we have in progress and will advise the NNBIS center of any cases in which an interdiction may arise. It will then be the region's responsibility to brief the noncore city task forces such as New Orleans or Mobile. To strengthen this link, I or my staff have personally visited and talked with the three core city groups in our area: St. Louis, Houston, and Atlanta. The Houston and St. Louis groups are providing personnel to stand watches in the center for a 1-week familiarization with our activities. We have not yet worked out the details of the Atlanta visit. To keep local law enforcement agencies advised of our activities, I have asked each Governor to designate a contact point in the State agency responsible for drug enforcement. In Louisiana that person will work in the center. In the other States, the person designated will likely remain in the home State. The State agents designated will also provide us with the State and local intelligence needed to round out the picture. I have visited with the Governor of Louisiana and will meet with the Governor of the State of Texas in early November. Arrangements are in progress to set up meetings with the Governors of Alabama and Mississippi.

Information will be exchanged on a continual basis with both the other NNBIS regional centers and with the El Paso Intelligence Center. EPIC's role in intelligence will not decrease but will increase as they coordinate the nationwide assessment. They will provide the strategic information necessary to meet the changes in tactics by the opposition. Members of my staff and members of the EPIC staff have exchanged visits to ensure close coordination with this very valuable asset.

The overall NNBIS effort nationwide is intended to fill a gap in the country's drug enforcement program. Overseas, source country eradication programs under the Department of State are, as you are well aware, working to reduce the supply of contraband drugs at the source. As you have heard from Mr. Mullen, within the United States, domestic eradication programs under the DEA in cooperation with the various States are targeted on reducing homegrown marijuana and eliminating illegal chemical production of drugs such as PCP. Domestic enforcement programs under DEA and extensive research

and education efforts are working to reduce the demand for illicit drugs. The Attorney General's task forces are aiming at the large organized traffickers in contraband drugs and their complete organizations and finance structures.

All of these programs are producing results. But by their nature, most tend to be long-term efforts and the full effect and benefits may not be realized right away. In the meantime, it is clear that strong, coordinated law enforcement action must be taken to interdict the flow of illegal drugs at or before the point at which these illegal drugs enter the United States. And that basically is the NNBIS mission: To stop the drugs at the border and to do it by making the maximum effective use of all of our national assets in a fully coordinated, systematic approach to the problem.

We will make extensive use of our national intelligence community and our national defense resources but with the reassurance that will not adversely affect our national defense posture.

The key is coordination, taking advantage of available assets without duplicating efforts between agencies and without leaving areas of interest uncovered.

It is not a small task and will require extraordinary coordination not only across the entire Federal community law enforcement agencies and the Defense Department's military services but also across the State and local enforcement agencies and the States' National Guards and Air National Guards. Meetings between Federal, State, and local groups and me and my staff have been held in Houston, Beaumont, Mobile, Meridian, Dothan, Baton Rouge, New Orleans and several other places within the gulf region in recent weeks. We have met with the adjutant generals of the States of Louisiana and Alabama and I will meet with the adjutant general from the State of Texas in early November. I have discussed coordination at the State level with the Mississippi Bureau of Narcotics, Alabama Bureau of Investigation, and Louisiana State Police, and my staff has conducted discussions with the Georgia Bureau of Investigation, Texas Department of Public Safety and State officials in the State of Florida. My staff has met with Air Force officials at Tinker Air Force Base to discuss joint operation, and the director for the gulf region conducted extensive liaison in behalf of NNBIS at the colocated conventions of the International Association of Chiefs of Police, the State Drug Enforcement Alliance, and the International Association of Law Enforcement Intelligence Analysts in Detroit. Working together, there is not a doubt in my mind that we can and will make the system work.

To return to the gulf area, the current intelligence overview for the region is as follows: From December of 1982 until September of this year the Yucatan was the "Pass" of choice for the smugglers for maritime efforts. Thirty-five percent of all mother ships seized during the period were seized in that area. Once in the gulf, the vessels can very easily pan out to almost any portion of the gulf coast, from the coast of Florida to the coast of Texas to offload. Aircraft use the gulf as a primary smuggling route. Once ashore, they proceed to remote airstrips in or north of the Gulf States to refuel or offload.

In recent NNBIS operations we have successfully interdicted four aircraft with loads of cocaine and marijuana, a container from a commercial vessel, a tug with a bargeload of marijuana, a fishing

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vessel loaded with marijuana, cocaine concealed on a person coming through a commercial airport, and a shipment of cocaine concealed in a water tank of a commercial vessel. Total figures since June 15 reflect the following: 8 seizures, 18 persons arrested, over 40 tons of marijuana seized, and 1,712 pounds of cocaine seized. These statistics do not reflect the extraordinary cooperation between agencies and the extra efforts made by the enforcement personnel involved.

In an aircraft case at Jackson, MS, the Customs Service pilot of the chase helicopter had to land on the top of the suspect aircraft in order to prevent that aircraft from escaping. That same night he performed a vehicle stop on the ramp of the interstate by landing in front of the automobile while other law enforcement agencies closed in behind. In a vessel interdiction case, air resources were required from the Department of Defense to successfully prosecute the mission. The request was processed promptly and the Air Force aircraft successfully located the target for interdiction later that same day by a Coast Guard cutter. Two citizens from Alabama and the Alabama Bureau of Investigation in cooperation with Customs and the Drug Enforcement Administration played a significant role in interdicting 716 pounds of cocaine in Montgomery, AL. Even before NNBIS, we in the New Orleans area recognized the need for a coordinated effort and were constructing a joint center on a smaller scale. The larger effort now in progress will significantly enhance our efforts to stem the tide. I think we will be able to work a lot "smarter" in the future.

This concludes my prepared testimony, Mr. Chairman. I would like to comment at this time on how pleased I am with the reaction and the commitment of the participating agencies.

I will be happy to try to answer any questions you or the others may have.

Senator DENTON. Thank you very much, Admiral.

I have a nephew who served in the Coast Guard for a few years and it did him a lot of good and I think he was a good Coast Guard seaman. I have had association with the Coast Guard over my 34 years of experience in the Navy. I'm aware that you are, indeed, prepared and that you serve a great many functions with lifesaving and navigation equipment, buoys, lights, all of the critical missions that you have. And, for the record, where does drug interdiction stand in your present order of priorities according to your administrative doctrine?

Admiral STEWART. Mr. Chairman, I can answer that, of course, but as I'm sure you appreciate and Senator Cochran, that's a relative question. It has a very high priority. I'm sure you know through history that it was our first mission when we were created as a service by Alexander Hamilton in 1790, it has been an important mission in the Coast Guard. There is one that is more important and I have mentioned this to the Vice President on several occasions: If I am called upon to save life and property, sir, it will override any drug enforcement case I have pending. But that is the only superior priority as far as law enforcement is concerned.

Senator DENTON. This is not exactly directly related to this hearing, but Senator Hawkins told me a story of a Coast Guard boat having noted a number of Haitians in difficulty off the coast just beyond a sand bar. The Coast Guard picked them up and brought them to Florida.

And she told me a very humerous account of her subsequent conversations with the Commandant of the Coast Guard. She asked, shouldn't that boat be taken back to Haiti? And he said, no, ma'am. He said, there were 93 people on that boat and that size boat wouldn't have done it. Well, don't you have bigger boats? Yes, ma'am, we have bigger boats. Well, why didn't you get them to take them back to Haiti? And eventually she got that situation turned around.

Admiral STEWART. Yes, she did, Mr. Chairman. That's why we have the Haitian Migration Interdiction Patrol.

Senator DENTON. Realizing that you're newly appointed to this particular job and with adjustments in the budget or priorities of the Coast Guard, could the Coast Guard justifiably increase its already effective interdiction of drugs on the high seas?

Admiral STEWART. If I understand your question, yes.

Senator DENTON. What changes, if any, would you see mandated by the drug threat which you might impose on yourself as a service to the overall benefit of the well-being of this country?

Admiral STEWART. Mr. Chairman, I think, frankly, that the key to the problem is not necessarily increasing resources but the accurate and effective positioning and utilization of those resources. I'm not sure at this point that we do not have enough. I can say for sure that they're not necessarily in the right place. I think the key to that is real time accurate intelligence information. And that is ongoing. I am very pleased with the volume of intelligence information which my IIC is now receiving. I have the pledge of additional support from the national intelligence community. I firmly believe after briefings in a number of those agencies in recent weeks that this will give us the tools we need. We simply have been chasing our own wakes, and this has been counterproductive. Each of the participating agencies that serve in the NNBIS Center brings to that Center a tremendous wealth of intelligence information. And I think that's the key to it.

Senator DENTON. Not only intelligence information but more particular expertise to render more efficient the bulk of commitments we now have which, I agree with you, can be more efficiently applied.

Are you familiar with the balloon concept, do you have any particular tactics that you would care to expand upon that might hold greater promise in the future? As Senator Cochran mentioned, the high-speed hydrofoil, et cetera.

Admiral STEWART. I am familiar, sir, to answer your question directed at the tethered balloon concept. The balloon in and of itself is reasonably effective if the operations of my counterpart, Admiral Thompson in Miami, are any indication. It is, of course, susceptible to weather. It does from time to time have to be "cranked down" for maintenance. It plays a part. It's one of the tools in the toolkit, if you will, which can free up some air assets which can be then utilized elsewhere.

Senator DENTON. Has anyone given any thought in the Coast Guard or in the drug-related agencies to the possible employment of the old blimps to the problem?

Admiral STEWART. Yes, Mr. Chairman. I think you're well aware that the Coast Guard has an ongoing project to explore the possible utilization of blimps. It is a research development project.

Senator DENTON. Would you as a matter of courtesy send me any kind of papers that now exist that would tend to give the staus quo on that?

Admiral STEWART. Be happy to, Mr. Chairman.

Senator DENTON. Senator Cochran.

DEFENSE APPROPRIATIONS SUBCOMMITTEE ACTION

Senator COCHRAN. I am very happy that the Defense Appropriations Subcommittee on which I serve, as you know, wrote in some language that directs an experiment using hydrofoil craft that were built for the Navy to test their utility in drug interdiction efforts in the gulf coast. I know that we've talked about this possibility before, but it looks like we are going to have this experiment become a reality. There are six of these craft, PHM hydrofoil ships, they're called. And the committee approved this language. It says, these vessels should be periodically detailed to Coast Guard activities on the Mississippi gulf coast. I'm sure the Alabama gulf coast is all right, too. We ought to put that in parentheses. But the point is that up in the northern part of the gulf, these are going to be available periodically. I just wanted to pass that information on to you and say that it looks as though the full committee will retain this language. I don't see any problem on the floor of the Senate, so that ought to become a reality.

In addition to that, we also wrote in language authorizing the Navy to use an additional $10 million to fly regular training missions that are programmed to be reconnaissance flights designed to identify drug smuggling activities in the gulf coast area. So these are two events that directly effect military resources that NNBIS might be able to utilize in the coming months and years.

COOPERATION OF MILITARY AGENCIES

Up to this point, what has been the degree of cooperation you've been able to get from the military?

Admiral STEWART. Senator, it's been outstanding, it's growing more so everyday. We had to play the game of "getting to know you" and the Department of Defense despite the actions of the Congress and the amendments to the posse comitatus law was a little gun-shy, and understandably so. Those rules of engagement have now been clearly laid down at the urging of the Secretary of Defense. And, as a matter of fact, one of my pleasant duties as the NNBIS Regional Coordinator is calling on the various military commanders within the region. I can assure you that Keesler Air Force Base forces have been outstanding in their support. As a matter of fact, they were among our early supporters even before the agreement had been made. I think as we grow more used to this kind of coordination, that the Air Guards and the National Guards will be very cooperative. I think we're now in harness and I think the cooperation is growing everyday. I'm also very pleased by something else. Obtaining assets of opportunity such as Air Force aircraft or Navy aircraft that are already flying a mission is not particularly difficult. But occasionally, as I'm sure you can appreciate, Mr. Chairman, we want a dedicated aircraft. This re-

quires the permission of the Assistant Secretary of Defense for Manpower Reserve Affairs and Logistics. We "tried it on for size" one night for a particular case. It took 3 hours to get the permission. Of that time, for 2½ hours the Assistant Secretary was airborne in civilian aircraft and we couldn't reach him. So, in effect, the elapsed time was only 30 minutes. I'm very appreciative of that. I would say we're off and running.

Senator COCHRAN. That's a good sign, I would think.

Well, I think you're to be congratulated on the fine work you're doing in coordinating all these activities and the resources that are available. And I congratulate you for a very good start that's being made there in New Orleans. Thank you, Mr. Chairman.

Senator DENTON. Thank you, Senator Cochran. I'm glad you raised that. The general difficulty, of course, would be that the Navy like the Marines likes to consider themselves mobile and they have to move around. It is to their own advantage when they are in the area and I knew this when I got into the posse comitatus effort, rather than bore holes with their own radar airplanes, be doing something with them out there when they're coming off the carrier decks or flying from Jacksonville or wherever. But then when they're not there, they would be reluctant to feel that they have the possibility of commitment which would divert from their also important task. And I'm glad to hear that that's being worked out quite well. I knew it would have growing pains but it's gratifying to hear how it's going.

How about foreign navies and coastal forces in the Gulf and Caribbean regions, have you tried to work anything out with them? It's a relatively simple task. The old radar from World War II would be effective in, you know, picking up boats and ships. Do you know of any efforts on the part of our Government. I realize it wouldn't be through you that would necessarily be directed, but do you know of any action in that field?

Admiral STEWART. Two areas that I'm aware of. One which has to do with our relationship with the Bahamian Government where we are cooperating and working with them in connection with drug interdiction. This is a severe problem, as you know, in the Bahamas, because they're used extensively both by air and ship as a transshipment point to the United States. The second one is fairly high-level negotiations with the Government of Mexico in connection with the cooperation and support of the Mexican Navy in drug interdiction.

As a matter of interest, I have also had some very low level, very informal negotiations with one of my counterparts on the northern end of the Mexican Peninsula. He's newly assigned. I had several of my staff officers, a member of the Bureau of Alcohol, Tobacco and Firearms staff and a couple of other people go down and just informally work with him. We've established that relationship and I hope that it will continue.

That's about the limit of my knowledge.

Senator DENTON. The changes in the smuggling in response to the defensive efforts, if you will, on our part from your perspective, how have these been reflected in the shifts of smaller vessels, or was there not a shift to smaller vessels for marijuana smuggling and does that indicate that there are significant numbers of new people, new persons

who are into trafficking, and, if so, what type of profile do such persons have?

Admiral STEWART. Two different types of patterns that I see emerging, sir. One has to do with the activities and with the committee's indulgence I'll be somewhat general to avoid giving away the store.

But we see a change in the pattern of mother ship activity. They're using somewhat different tactics in order to offload and get their cargos ashore than they have in the past.

We also see, as far as the maritime mode is concerned, we see a shift to smaller cargos. We see a decided emphasis on concealed compartmentation. We also see, in effect, a smaller packaging job. The bales are coming in smaller sizes now.

As far as air interdiction, I would defer to the acknowledged experts, the Customs Service.

But I see perhaps an increase and I would agree with Mr. Mullen. Increase in the shipment of cocaine, two of the four seizures we had were aircraft with somewhere just a little less than one-half ton of cocaine on board each of these aircraft.

We do find that there are some small air shipments of high-grade marijuana. I suspect personally that this may be the new boy on the block breaking into business. Marijuana is a little cheaper to buy, a little less difficult to handle and sell. And as a result of that, he makes a little money at $600 a pound. Then he can break into the big time later on having established a bankroll, if you will. But those are just the changes that I see.

Senator DENTON. Does the Yucatan Channel and the Windward Pass remain routes as far as shipping?

Admiral STEWART. The Yucatan, sir, as I indicated in my prepared statement is the pass of choice for about 35 percent of the mother ships that come through. That's why I'm sort of interested in obtaining control of the Yucatan. Because with all due respect to my partner to the east, I'd rather not live on his leftovers, Mr. Chairman.

On the Windward passage, I would defer to Admiral Thompson. Based on my general knowledge, having been in Miami, having been briefed on his operation, I would say, yes, both are major passes of choice.

Senator DENTON. Has the Senate response to the Eighth District changed erratically to correspond with addressing the drug problem?

Admiral STEWART. Not particularly in the sense that—I'll answer this two ways, with your indulgence, Mr. Chairman. Remember that as the NNBIS Regional Coordinator, I don't own any resources. I ask the operational commander of said resources if I may "borrow" them or if he will divert them to a particular job. I must then turn my hat around, if you will, and ask myself for Coast Guard resources, which I do frequently. I think, frankly, we have about the same level of effort in terms of law enforcement in the Eighth District as we have had before. But I consider it far more effective now that I can tell my people where the drug smuggler is, what he looks like, what he's likely to do within a reasonable period of time. And I think they're much more effective now.

Senator DENTON. In 1982 our information was that the Coast Guard was surveilling the Caribbean choke points only 18 percent of the time with certain changes. Have you been able to improve that figure?

Admiral STEWART. I'm going to say generally, yes. Mr. Chairman, if you would like since I do not own the choke points at this moment, let me prepare some information for you for the record on that.

Senator DENTON. I want to thank you, Admiral, for your extremely valuable points made this morning and remind you that you may be receiving written questions as we see further need from your previous testimony. And thank you very much.

Admiral STEWART. Thank you, Mr. Chairman.

[The prepared statement of Admiral Stewart follows:]

PREPARED STATEMENT OF REAR ADM. WILLIAM H. STEWART, USCG

Mr. Chairman and members of the committee, I am Rear Adm. William H. Stewart, commander of the Eighth Coast Guard District. I welcome the opportunity to discuss Coast Guard maritime narcotics interdiction efforts with this subcommittee.

The Eighth Coast Guard District encompasses a large water area, approximately 100,000 square miles of the Gulf of Mexico. It includes the States of Alabama, Louisiana, Mississippi, Texas, New Mexico, and part of the State of Florida. To support the Coast Guard drug interdiction effort in this area, the following multi-mission assets are available: ten 82 foot patrol boats, two seagoing buoy tenders, eleven helicopters at three locations (Houston, Corpus Christi, New Orleans), seven fixed wing aircraft at Corpus Christi and Mobile, and utility boats at eleven Coast Guard stations along the coast from Panama City, Florida to Port Isabel, Texas. Four medium endurance cutters are homeported in the Eighth District but primarily operate in the Yucatan which is presently under the operational control of the Seventh Coast Guard District headquartered in Miami.

With these assets, the Eighth Coast Guard District carries out an aggressive law enforcement program in support of maritime narcotics interdiction along the gulf coast. Patrol boats, utility boats, and buoy tenders conduct both coastal and off-shore patrols in either dedicated missions or in conjunction with other Coast Guard missions. Aircraft patrols are regularly conducted in the gulf and along the coast, independently or in conjunction with surface patrols. Recently, we have begun to extend the range of our patrol boats by conducting multi-unit law enforcement patrols, well offshore, for ten day periods, using seagoing buoy tenders as "motherships" for fuel, water, spare parts, and communications relay. This has worked well in the past and will be used more extensively in the future.

The Coast Guard also responds in a timely fashion to intelligence information which indicates the presence in eighth district waters of a drug laden vessel or smuggling operation. Our assets are also deployed on joint operations with other agencies at the Federal, State and local governments. We maintain a strong liaison program with the other Federal agencies involved in narcotics activities such as the Drug Enforcement Administration, U.S. Customs Service, Bureau of Alcohol, Tobacco and Firearms, and the Federal Bureau of Investigation. Liaison officers have been detailed to the organized crime drug enforcement task forces in the core cities of Houston, St. Louis and Atlanta. Each of these task forces is patrially in the eighth district. Having liaison officers on site ensures effective coordination with the task forces. To ensure cooperation at the local and State levels, the Coast Guard is a member of the law enforcement coordinating councils established two years ago under the direction of the Justice Department in the various U.S. attorney offices. Our local commands coordinate with their local law enforcement counterparts and this effort has borne fruit.

One of our recent notable successes occurred on 15 January 1983 at Grand Isle, Louisiana. This case involved 12 tons of marijuana on the fishing vessel *Capt. Kurt*. The original information came from the Federal Bureau of Investigation in the fall of 1982. Ultimately the Drug Enforcement Administration, the U.S. Customs Service, the Louisiana State Police, the La Fourche Parish sheriff's

office, and the U.S. attorney in New Orleans became involved. A joint command post was established at the Eighth Coast Guard District Operations Center in New Orleans. A local command post was established at the Coast Guard station at Grand Isle Louisiana. With the FBI and DEA providing intelligence, Coast Guard aircraft located the *Capt. Kurt* some 300 miles south of Grand Isle. Using Coast Guard and customs aircraft, constant surveillance was maintained on the vessel until its arrival off Grand Isle. DEA, Coast Guard and Customs Service boats were pre-positioned to track the suspect vessel. Late in the evening of the 15th of January Coast Guard, Customs, DEA, FBI, State, and local police boarded the vessel, seized the vessel and the contraband, and arrested the persons on board. Later that same evening, a contact boat with three persons onboard apparently unaware of the interdiction came alongside the *Capt Kurt* to begin transferring the load ashore. The vessel was seized and the persons on board promptly arrested.

In a more recent case, on 15 August, 1983, the Coast Guard, acting on intelligence information provided by the Customs Service, interdicted the fishing vessel *Captain Buck* with fifteen tons of marijuana and arrested two persons on board. What makes this case extraordinary is that the job of locating the vessel by aircraft fell to the Air Force. Under the terms of the recently signed Coast Guard/Air Force memorandum of agreement, an Air Force C–130 aircraft was sent to the probable location of the vessel and pinpointed its location, course, and speed for interdiction by a cruising cutter in the area. Approval from the Secretary level in the Department of Defense only took three hours on a Sunday night/Monday morning. Considering that for two hours of that time the approving official was airborne in a commercial aircraft, the response was very timely. This type of support from the Department of Defense made the difference between success and failure in this case. Since the amendment to the posse comitatus statute, the Defense Department has provided the Coast Guard excellent support in drug interdiction. Their assistance is a welcome addition in our fight against the drug smuggler.

The Coast Guard has become part of the national narcotics border interdiction system (NNBIS) and in the gulf area hosts the regional center. I have been designated by the Vice President as his regional coordinator for NNBIS for the gulf and the center itself is located just down the hall from both my office and the Eighth Coast Guard District Operations Center. I believe that the Coast Guard's efforts in NNBIS coupled with our ongoing Coast Guard initiatives will have a positive impact on reducing the flow of drugs into this Nation. We have seen the effect the southeastern U.S. task force has had on this area. The Coast Guard made 50 seizures of drug smuggling vessels in the eighth district in 1980. In 1981, 40 were seized. In 1982 five vessels were seized and this year three seizures have been made. With the enhanced intelligence picture and the coordination of effort provided by NNBIS, I would expect our statistics to rise again. None the less, the drug smuggling problem by vessel in this area has been reduced. I attribute the reduction to the blockade of the Yucatan Pass between Cuba and Mexico, the primary route to gulf coast ports, by the SE U.S. task force which has forced the maritime smuggler to other areas or other means such as aircraft or overland routes.

That concludes my prepared testimony, Mr. Chairman. I am prepared to answer any questions you might have.

Senator DENTON. Our next witness gets us closer to home. I will ask Jeff Sessions to step forward.

J.B. Sessions, U.S. attorney, Southern District of Alabama. He was recently appointed as U.S. attorney. Bert Milling will be assisting him, and he has another recently appointed drug task force prosecutor in Charlie Whitespunner who is also present this morning in the front row. So we're looking forward to hearing from Mr. Sessions. And if you have an opening statement, we're ready for it.

STATEMENT OF J.B. SESSIONS III, U.S. ATTORNEY, SOUTHERN DISTRICT OF ALABAMA

Mr. SESSIONS. Mr. Chairman, I have prepared a written statement which I have submitted. But I would like to make a few general remarks and ask you to feel free to interrupt me if you have any questions as I go forward. I also have with me today my first assistant U.S. attorney, William R. (Ruddy) Favre, who has probably prosecuted more drug smuggling cases from New Orleans to Tampa than any other lawyer in the gulf coast area. And he's a tremendous asset in the drug fight.

We are particularly pleased to have obtained additional resources that have been given to us by the Department of Justice. And I feel that is an essential need for us in this district.

We found ourselves as a small U.S. attorneys office with five assistants on the front line of a major drug smuggling area. And the cases that we saw and had to prosecute involved boatloads of marijuana with as many as 18 defendants being charged. They would have some of the best lawyers, highest paid lawyers and they would be aggressively defended cases.

The impact of that on an office that has other substantial responsibilities than just drugs was tremendous.

When I came aboard as U.S. attorney, I made drug smuggling the No. 1 priority in our office, and have attempted to be sure that we have not neglected it in favor of other crime. And, in fact, I can say with certainty that we have, more and more, shifted our emphasis to this important matter. And it was said earlier, the drugs that come through, fortunately for us, don't just stay in Mobile. Most of them go to the various cities and areas throughout the country. And, in fact, I would suggest and suspect that most of the drugs we see on the street have probably filtered back into Mobile from other areas.

One of the things I think you are probably asking, Mr. Chairman, when you had this hearing and that concerned you was, are we moving to a situation in this district like that in south Florida? And is Mobile a potential area where violence, corruption, and drug addiction could tear at the very fabric of this community? I think I can tell you with confidence that it is not. We have had some very effective things happen to the situation, and I'll go into it in a little bit more detail later. But the situation is developing such that I am confident that it has stabilized, and that we will be able to reduce what level we have, and that it will not get worse.

Senator DENTON. Well, I'm very happy to hear that. But never in my worse nightmares would I have envisioned Mobile becoming another Miami because of the proximity of Miami to Cuba, for example. But we are interested in not only the effect of the South Florida Task Force but with the NNBIS and the other positive efforts which are being made. And we would look forward to hearing how you're coming along, and where you think we're going.

Mr. SESSIONS. My fear was and it was predicted that we would have a dramatic impact in this district from the South Florida Task Force, that it would dramatically drive narcotics into this district and it would have a serious effect on us.

We are pleased and somewhat surprised to find that we are not having these dramatic increases. It appears to me that there are several reasons for that although it's difficult to say with certainty.

First of all, the patrol by the Coast Guard in the Yucatan Pass has probably been the most dramatic action that has been taken to affect drugs in this area. We had large numbers of shrimp boats in our district and they would go directly to Colombia, load up and come back to the Yucatan Straits, the most direct way. I think, by virtue of some successful prosecution, by virtue of the arrests and stops made by the Coast Guard, and by the intimidating effect of the Coast Guard, we have had, despite the success of the South Florida Task Force, a reduction in the individual shrimp boatloads coming in. We are, however, seeing a substantial increase, it appears, in airplane smugglers. Perhaps that is because of the effect in south Florida. Perhaps it's because of the reduction in the number of boats. Certainly it is caused by the large number of rural airfields in this area that are available for smugglers to use. And, in fact, when I go back home and to the countryside, my friends very frequently will tell me that they hear airplanes flying at night, that they see no reason for that other than drug smugglers. We do not know at this time how substantial the airplane traffic smuggling is. And it is becoming the most significant problem.

Our prosecutive efforts have had some success, I believe. With the addition of the task force, we will have more. One of the questions that was asked was, is it a hopeless situation? Can this drug fight be won?

When I was an assistant U.S. attorney in about 1975, our office had 30 or more heroin cases being prosecuted. The State and city had large numbers of heroin cases. They used those cases and worked them hard, convicted the largest heroin dealer in town. And now there has not been a single heroin case since I've been the U.S. attorney in Mobile. That makes me feel as if we can have an effect with effective prosecution and education.

Our problem, I think, in this district has been that our attorneys have been so involved in meeting the immediate needs of arrests by the DEA, FBI, and Coast Guard of smugglers and just trying to prosecute those cases, that they have not, frankly, had the time and resources to fully expand the investigations and go as far as we should to reach the higher-ups. The Drug Task Force is going to provide us that opportunity, I am confident.

If we can utilize the Internal Revenue Service, Customs Service, Drug Enforcement Administration, and the FBI, all coordinated together in sharing information and their unique expertise in each area, we can have a dramatic effect, I think, in the drug smuggling area.

I have a number of suggestions that strike me as noteworthy and would ask that you consider what I believe would help us with the drug situation in this district. Some of the other people who will testi-

fy will be better able to discuss the details, or have better suggestions that I think are important.

First, Mr. Chairman, you're more aware than I, by far, of the capabilities of radar surveillance. But it seems to me if we could surveil certain percentages of the gulf coast area totally, and track the incoming planes from the south to their landing areas, that would probably require a plane on the ground that could scramble in response to the radar and track those to their landing site; for that specific area that we search or we use radar on, we could catch every plane that comes through. And that's the kind of thing that intimidates drug smugglers. If they know there is a one in four or five chance, that you're patrolling 20 percent of the gulf coast and it's blocked off entirely and they don't know which 20 percent it is, in addition to catching smugglers I think you intimidate people out of the smuggling business. And I think that has great potential.

I think the President's crime package, and I cannot tell you how strongly I feel that that has some tremendous prosecutorial advantages: It is needed.

Senator DENTON. Excuse me, Jeff. I'm afraid I'll forget this question.

You mentioned the radar surveillance and people hearing aircraft flying in and not knowing what other reason they could be coming but for drug smuggling. Keeping in mind that sometimes we throw money at things and equipment when we don't have to, are we working with the FAA and their existing radar and their air-control monitoring to separate out to the degree that we can, planes which might be more suspicious and so on?

Mr. SESSIONS. Mr. Chairman, the exact capabilities of the radar system in the area I think are classified. But I have talked to Mr. Charles S. White-Spunner, Jr., our Drug Task Force attorney, and instructed him to evaluate that situation in the district to see what we can determine with regard to our radar capabilities. We want to see if we have some weaknesses, and there has been some suggestion that there might be some weaknesses in this area, in our area, gaps.

Senator DENTON. There are gaps, I can tell you, all over the United States. We have depreciated our air-defense radar in favor of missile systems. But there is substantial capability without getting into anything classified, with respect to what exists at, say Bates Field and other fields around the country.

Am I to understand that you all are looking into that and will be trying to work out what you can from that system before you ask for other radars or whatever?

Mr. SESSIONS. I think that that is an appropriate first step, yes. And we will be doing that.

I understand that the FAA has been coordinating with Customs and DEA in providing information and that they have coordinated with each other.

Senator DENTON. I will ask the Customs representative later about that.

Mr. SESSIONS. Another matter that was mentioned earlier that I consider to be a significant problem now, and that is domestic marijuana production. I'm a little uncomfortable with the word eradication,

since that does not imply prosecution. It seems to me that we should prosecute the growers of marijuana and not just pull up their plants.

There are a number of things that might be helpful in that area, just brainstorming and dreaming a bit. And, Mr. Chairman, you would be more familiar than I with the actual mechanics of it, but I know that the military has detection devices that would detect moving equipment or moving personnel.

What is happening is that a sheriff, who has a small number of deputies in a big county to cover, finds a number of marijuana fields. They were planted in, say, the spring, and harvested in the fall and the planters may not go back to that field more than two or three times. It's difficult to know when they might come in and harvest it. The sheriff simply cannot put a deputy out there all night every night to watch those fields and attempt to catch the person who might show up. And so, he then sprays the field with a herbicide like paraquat. Or he has just pulled them up by hand.

I don't know how expensive it would be, but would suggest that there may be a possibility to put out detection devices that could notify the sheriff that some movement was taking place in the area of the field, and that they could respond and perhaps arrest the growers.

There's a matter that has involved us in this district a good bit. It is a matter that we feel strongly, and I know Mr. Favre feels very strongly about this from his experience in prosecuting cases. It's the need for the reform of the Bail Reform Act, I believe, of 1969. We are having an excessive number of fugitives from these drug cases. Presently we have 11 fugitives who have been arrested and placed on bond and have skipped bond. Of these 11, 10 of them are dopers. We took testimony concerning one and we discovered that the Government had spent $40,000 to apprehend him.

The Marshal Service is committing a substantial portion of its resources and doing a good job to help in the apprehension of fugitives. But it is an expensive problem.

In addition to that, when a fugitive skips prior to his trial, you have to go forward with the trial of those who were originally charged. When he's apprehended you have to have a separate trial for him. It's a very expensive process. As a matter of fact, in today's paper I noticed that there were three fugitives mentioned in the Crime Stoppers Program. Two of these were dope smugglers who are Federal fugitives.

Another matter that we think might be addressed and will probably be addressed with the entire crime package, but in particular I would suggest that there needs to be an increased penalty for marijuana importation.

Presently an individual charged with possessing 1,000 pounds of marijuana is subject to a 15-year penalty. If it's less than 1,000 pounds, it is a 5-year penalty. We would suggest that importation of marijuana of amounts of 500 pounds or more should at least carry a 15-year penalty.

Mr. Chairman, those conclude my prepared remarks. And if you have any questions, I would be glad to try to answer them.

Senator DENTON. As a member of the Judiciary Committee, I participated in last year's crime package and the one this year.

It is now in the form in which it will pass the Senate easily. It will have a number of provisions for alleviating some of these problems that you have brought up. My own staff and I have introduced some 127 amendments to toughen up the drug bill. And for my pains, I was quoted in the newspaper as saying something on the subject, that it was a small percentage of my concern. I was misquoted and remarks were taken out of context. But I wish you to know that we're working hard on that, Mr. Sessions. And I think you're going to see an improved bill come out very soon.

I have to remark that I think it's extremely commendable that you have been able to knock the heroin use just about out.

Given the resources that you now have at your disposal, do you adequately address the drug smuggling problem in your district? In other words, is there being any progress made? I think you've answered that in the affirmative.

What about corruption of public officials? It's a problem all over the world. There are no professions that have been exempt from that corruption, because of the high rewards, if you will, financial, to be received to come into drugs. Is that a problem in the Southern District, to your knowledge?

Mr. SESSIONS. Senator, we have some of the finest law enforcement officers in the country in this district. They are dedicated to their job.

But we have seen isolated cases, really too frequently, of law enforcement officers and even a district attorney becoming involved. In Baldwin County, the former district attorney for 16 years was charged and convicted in a conspiracy to import marijuana. He was at that time a supernumerary district attorney.

In that county the chief investigator for the sheriff's department was convicted. We have had former deputy sheriffs in Mobile, former State troopers convicted of actual participation in drug smuggling activities. It is a matter of concern to us. We try to give it the highest priority. If a sheriff's department has a corrupt member, that whole department is affected. The whole drug effort in that area is affected. So it is a matter of highest priority.

I do not believe that we have any broad-scale law enforcement involvement in narcotics. But there are individuals who do succumb to the moneys involved.

Senator DENTON. Considering the possible ecological problem which, as I understand it, is unresolved at this point, could you give us the benefit of your views on the use of paraquat in domestic eradication of marijuana?

Mr. SESSIONS. I was listening to a talk show the other day and an individual called in, I hope tongue in cheek, and said that he didn't see any reason for spraying those paraquats, they were nice little birds. And the talk show host said, what they're talking about is spraying marijuana. He said, oh, I'm for that. Spray that stuff.

I don't think there is any substantial danger from the use of paraquat. I think that's a brouhaha over nothing. I have personally talked to Dr. Carlton Turner and Senator Cochran recently. You claim he's from Mississippi. I don't blame you. He is a superior public servant. But he's actually from Choctaw County up in Alabama.

Senator COCHRAN. He's from Lee County. We have these arguments. I guess it will go on and on.

Mr. SESSIONS. But he told me he had just recently returned from South America and the Colombians were taking a firm position that if we wouldn't spray paraquat, they weren't going to spray it. I don't see any danger from it and I think that we should use it.

Senator DENTON. Well, it would certainly be a cheaper way than installing a moving-target indicator equipment to which you previously alluded because, although you would be spared the pain of having to assign a man 24 hours a day to look at the field, the moving-target indicator might be portraying a cow walking along. And much of that equipment has minimum speeds of movement which must be exceeded for them to be effective. So, a lot of times things like that get ordered and bought and they're not as useful as the cost would indicate. So, I hope we take a real close look at that.

Are the Federal agencies that are involved in the fight against drug smuggling, in your opinion, being used to their full potential and what ways and existing resources could be better utilized?

Mr. SESSIONS. Well, we really have received a substantial increase in resources in the district with the Drug Task Force. It's been a substantial benefit. I don't think that we can ask the FBI to commit any more of its resources. It has such a tremendous investigative burden beyond just drugs, I think it's given all that it can give and is doing a fine job.

The DEA is fully committed and it's agents are working full time.

The Coast Guard, as I said, may be the prime reason for reduction of boat traffic in this area, those patrols. I feel good about that.

I have talked with Mr. White-Spunner, Drug Task Force attorney, and discussed with him that I would like to bring and involve the Customs agents more into the actual prosecutive effort, bring them more into the Drug Task Force. They have a great deal of intelligence information. And there is a sharing of it. And I think the Drug Task Force is going to be helpful.

I would like to see us make sure we get maximum utilization from the Customs agents.

Senator DENTON. Other than that, you feel that there's a good flow of drug intelligence and information among the relative agencies, particularly Federal, State, and local law enforcement agencies and their cooperation thereto?

Mr. SESSIONS. I do, Mr. Chairman. The Attorney General has made absolutely clear his commitment to full cooperation and partnership with the local officials, as well as directing that all Federal agencies cooperate with each other.

We've talked to the IRS. We've talked to the Coast Guard. Captain Pennington, if you call him at 2 o'clock in the morning about a boat, he would be there immediately.

All the agencies have gotten the word that they are to respond to this need. And we're not to let institutional jealousies and differences interfere with it. And I'm pleased with that.

Senator DENTON. Well, it's gratifying to hear that and there is some consolation to the fact that when our subcommittee was formed it was taken by some of the more liberal media as an affront to the prospect for protection of civil rights, human rights and so on. But

that was our principal thrust as we took over, to get cooperation, coordination among the many agencies involved.

Do you see the new regional task force as an asset to your office?

Mr. SESSIONS. It's more than an asset. It's going to be a major part of our drug-fighting effort. It's going to allow us to proceed and follow cases in depth to reach the highest level of drug violators. And it's going to allow us to seize assets that we have not been able to do before.

These cases take some time to work. This would allow you to take the big cases that have potential development and to follow them through. And I have great hope for this.

Senator DENTON. In spite of my colleague's remarks, I defer to Senator Cochran.

LAW ENFORCEMENT COORDINATING COMMITTEE

Senator COCHRAN. Thank you. Over in the Southern District of Mississippi, U.S. Attorney Phillips who is your counterpart there, has organized and coordinated a committee involving local law enforcement officials and others. You're talking about getting the Customs Service more involved in the prosecution. I don't know whether you're aware of what he is doing over there, but you may be doing the same thing here. I've heard good reports about the success of communications. This LECC is really opening up the line of communications, and they meet from time to time to share information about how they are working and how they can work together in a better way. This involves Coast Guard people and Federal, State, and local officials in that Southern District area. But you might consider talking with him about it or seeing how that has worked.

Mr. SESSIONS. We do have that, Senator. We've had a number of meetings. I think Mr. Phillips has had one of the most successful operations probably in the country. And I'm not sure ours is as aggressive as his. But we've had a number of meetings. We've developed personal relationships between all the local officials and all the Federal officials. My door is open. I know the FBI, the DEA, and the Customs' doors are open. And there is a real new day in communication I think because the Federal and the local—well, Sheriff Purvis is here and has been very supportive of it, and is going to host a meeting at one of his lunches for us in the near future.

ADEQUACY OF RESOURCES

Senator COCHRAN. I think that's one of the greatest things that's come from hearings such as this. They have brought people together who are all involved in the same effort. And I think it's provided a basis for communications and cooperation that we may not have seen before. That's very important as you so well have pointed out.

I was talking to one of our Federal judges in Mississippi last week, and he observed that much of the Federal criminal caseload in the courts now involves drug cases. This is another indication I think, Mr. Chairman, of the emphasis that's being placed on prosecution and investigation of these drug crimes. And I think that's an encouraging sign, that we are seeing more and more emphasis placed in that area.

Do you feel as though you have enough resources in your office, enough assistants and personnel, to handle the case workload because of this increased drug activity in the gulf area?

Mr. SESSIONS. Well, I'm one of those that believes in doing more with less. I feel like that our five assistant U.S. attorneys have worked so hard these past 2 years that they have done the work of seven. We've now gotten two more. And I think that's going to be a great help to us. We really need another attorney and perhaps we're going to get that.

Senator COCHRAN. I know that your office has responsibility for things other than criminal prosecution. You have a civil side in your office where you are involved in civil litigation in Federal Government. And that I know has been on the increase in recent years.

My question is, because of these responsibilities that you have, are people going free from prosecution who ought to be behind bars because of a lack of resources in your office?

Mr. SESSIONS. Senator, I think I have told Moss Stack of the FBI that if there has been a weak link, and I would say again, that our lawyers are doing a magnificent job, they are five of the hardest working lawyers, skilled, and know how to prosecute cases. I do not feel that anybody has gone free, but cases have not come into the system as rapidly as they should. There has been a slight backlog. I believe the new manpower we are getting reflects an understanding on the Department of Justice that our office did, in fact, need more manpower and I believe it will allow us to meet our needs.

Senator COCHRAN. The reason I asked the question about the coordination, and investigators, and communications, is if we get the goods on people and we've got evidence that ought to be presented to the grand jury and people ought to be indicted, prosecuted, and put away, and if we don't have the lawyers and prosecutors there and the judges to hear the cases, nothing happens after all this wonderful work has been done. The military flies in, you have surveillance and all of the rest of it. But if you don't get the guy prosecuted, it's all for naught. And that's the reason I think this is one of the most important aspects of this effort on the war on drugs, to make sure that we have efficient prosecution and enough people dedicated to that part of the effort, so that we can make it a successful program.

If we need to have a prosecution task force assembled and sent into these areas where we have a lot of drug activity, where we know the southern part of the United States in the target area for the entry of drugs into this country, we may need to take a look at that.

I'm on the Appropriations Committee, and we're trying to balance the budget and cut spending. And that's important, to do something about the deficit. But we need to take a look at some of these responsibilities I think we have as a Government and not shortchange our prosecutors and our U.S. attorneys who need these resources.

Mr. SESSIONS. Had we not had the additional manpower that I mentioned, I would be joining with you wholeheartedly because I think we were in a crisis. I believe we now can handle our responsibilities.

Senator COCHRAN. Well, you don't need this task force or anything, you think you can handle it?

Mr. SESSIONS. At least in this district.

Senator COCHRAN. Yes. Thank you, Mr. Chairman.

Senator DENTON. Thank you, Senator Cochran. And I would like to concur with you about the utility of some of these hearings, the hearings we held recently on the protection of the U.S. Olympics in 1984 from terrorism, brought together, for the first time, in so many cases individuals who were ignorant of what the other individuals were doing, and it did provide a vehicle for ensuring that they cooperated in the future, and progress accelerated greatly. And I want to acknowledge what you have done in this kind of field.

When a man is on the Appropriations Committee, you never try to beat him very badly in tennis. That's where it all comes to fruition or goes down the drain. I learned that and it took me a long time.

Thank you, Mr. Sessions. You've been articulate, informative, very positive. And you've certainly represented yourself and your position well.

Mr. SESSIONS. Thank you, Senator Denton.

[The prepared statement of Mr. Sessions follows:]

PREPARED STATEMENT OF J.B. SESSIONS III

I welcome the opportunity to share with you some ideas and concerns I have concerning the scope of the drug problem in the Southern District of Alabama. The Southern District of Alabama includes the entire Alabama coastline, the Port of Mobile and 13 Southwestern Alabama counties.

When I became U.S. Attorney, I designated the prosecution of drug smugglers as the number one priority for our office. That commitment has resulted in some significant prosecutive successes, but at a cost of substantial office resources. We are extremely fortunate, and I am quite serious now, to have an exceptionally fine group of skilled prosecutors. With me today is my First Assistant, William R. (Ruddy) Favre, Jr. Ruddy has prosecuted more smuggling cases than any prosecutor on this part of the Gulf Coast.

One of your topics deals with the general drug situation in Alabama. Some progress has been made. For example, when I became an Assistant United States Attorney in 1975, this office had some 20 or 30 heroin prosecutions going and the local officials had a greater number. When I left in 1977, the top heroin dealers were being prosecuted. There has not been a single heroin case in the 2 years I have been United States Attorney, either federal or to my knowledge, local. Aggressive prosecution, plus education, has completely driven heroin from Mobile, a tremendous achievement.

The most spectacular cases have been the large prosecutions of those who smuggled boat loads of marijuana into the district. With our large fishing and shrimping fleet and secluded inlets, this area became an active area for smugglers. For awhile a boat load of marijuana (usually about 20,000 pounds), was a great novelty. The traffic reached a peak from 1978 to 1981. In fact, we are now using intelligence data and informants to go back and prosecute many individuals who successfully brought loads through during that period. There appears to have been a dramatic reduction in the amount of boat traffic in recent years. It is universally agreed that the Coast Guard Patrols in the Yucatan strait have been the main reason for that. Successful investigations by the existing federal agencies, along with the resources of the new Drug Regional Task Forces will, I believe, allow us to completely crush the major boat smuggling rings. We have made great progress recently, gotten some heavy sentences, and are not through yet.

In the past two years, there has been a decided shift to airplane smuggling. Of course, that is progress of a sort, since it will take many 500 pound marijuana plane trips to equal one 20,000 pound shrimp boat load. Incidentally, I understand the street price of marijuana has remained high despite lower use and increased domestic production.

The disturbing part is that there appears to be a shift to cocaine. We are seeing larger street seizures and stable or lower prices.

I have been pleasantly surprised to find that the success of the Vice President's South Florida Task Force has not caused us to observe a significant increase

in smuggling in this area, at least insofar as boat loads of marijuana are concerned. Although it is difficult to ascertain with exactness, intelligence and arrests indicate that, as I have previously stated, smuggling by airplane is increasing. As the intensity of radar surveillance in South Florida increases, we must conclude that plane trafficking will increase here, and perhaps already has.

A final point, that will be covered by others more fully, is that domestic marijuana production is up. We must take strong action to control this development.

Now, I would like to make some suggestions for improvements in law enforcement that would not be expensive but will be quite beneficial.

(1) Just as the most dramatic development in the drug fight in this area has been the Coast Guard Patrol, I believe that increased radar surveillance could provide a dramatic breakthrough against air traffic. If we could randomly monitor even one-third of the Gulf coastline at a time for small planes coming into our air space from the South, I believe we could deal a heavy blow to the smugglers. Others here are more knowledgeable than I on the details, but such a project could be a tremendous success.

(2) In domestic marijuana production, I notice that all too often the authorities pull up the marijuana and are not able to catch the growers. The growers come so seldom to the fields that the officers cannot afford to be out for weeks on the chance the growers will arrive. I suggest that the Federal Government commence a program to supply inexpensive electronic detection devices which could ring an alarm at the local sheriff's office when the growers return to the fields. I would think something of this nature would be feasible and inexpensive. We also need legislation that will allow us to seize real estate of those who allow their property to be used for growing marijuana.

(3) We must have bail reform. We are plagued by druggers who fail to show up in court. In addition to frustrating justice, they require separate trials and cost the Government great sums of money to locate them. Indeed, there was a case in this district where the FBI computed that it had spent $40,000 to recover a fugitive. I know you have all supported legislation pending in Congress to amend the present law called the Bail Reform Act. In our district we know of 11 defendants who have absconded after arrest. Ten of them were dopers. The Constitution does not require us to sit idly by, year after year, while the smugglers skip bond.

Finally, I am confident that the Drug Task Force in this district is going to have a great impact. It is going to allow us to pursue in depth some of the key prosecutions and reach the "higher ups." We believe the Task Force will allow us to do a much better job of tracing money and seizing the ill-gotten gains of the smugglers.

As a result of the increases in manpower, greater cooperation among agencies and the Task Force, we are not going to allow a situation like that in South Florida develop here.

Mr. Chairman, we can and will do the job expected of us.

That concludes my prepared statement. I shall be glad to attempt to answer any questions you may have.

Senator DENTON. Before calling on our next witness, I have received a notation from Sheriff Tom Purvis; he has a conflict and could not wait his turn to speak. We would like, however, to have his opening statement included in the minutes of the hearing, without objection. And it is so ordered that the statement of Thomas J. Purvis, Sheriff of Mobile County, on the impact of the South Florida Task Force on drug trafficking in the gulf coast before this subcommittee be entered in the record.

[The prepared statement of Mr. Purvis follows:]

PREPARED STATEMENT OF THOMAS J. PURVIS

I am pleased to have the opportunity to appear before this committee to discuss the impact of the South Florida Task Force on Drug Trafficking on the Gulf Coast.

The State of Alabama has over three and a half million people, and covers an area of 51,609 square miles. There are approximately 125 public airports throughout the State.

The Sheriff's Department of Mobile County, Alabama, is charged with the security of 1,000 miles of unincorporated area of Mobile County. It covers a patrol area of 1,500 miles of roads. The Sheriff's Department must supply services and safety to the 95,822 citizens who reside in that area. There is approximately 200–300 miles of irregular jagged shoreline between Mobile and Baldwin County. Mobile County has a total of four public airports, in excess of 20 private airfields, all suitable for drug trafficking. An ideal location for smuggling drugs in by water and air is Dauphin Island. It is an uncongested area that can be used for smugglers to drop their cargo. A case in point, about six months ago one of the local Federal agencies received an anonymous tip that a plane heading north from the gulf loaded with narcotics would be landing on Dauphin Island at 3:00 p.m. on that particular day. The weather was extremely bad and in the opinion of the officers involved no one would attempt a landing at Dauphin Island. Agencies in bordering States were alerted to be on the lookout for this aircraft. The following day at about 10:00 a.m. an officer went out to Dauphin Island and found the marijuana. The pilot had flown in and out in spite of the weather. This incident is also indicative of the caliber of pilots that are flying drugs into the United States.

In recent months, we have seen a great deal of cocaine brought into this area by couriers. These people are able to pass through ports of entry with multiple kilo amounts on their person and/or in their luggage. Additionally, varying quantities are being sent through the mails.

Drug usage and availability has shown a marked increase in the Mobile area. The cultivation and utilization of domestic marijuana has increased. I am told that the domestic is equal to and often superior to imported marijuana. There is more cocaine being utilized in this area today than in the past, probably because cocaine has become a high drug of choice.

In my opinion the South Florida Task Force has impacted on the trafficking of drugs on the Gulf Coast. However, instead of eliminating the drug problem, the task force has merely inconvenienced the drug traffickers and forced them to seek new alternatives by which to bring illicit drugs into the United States, and has increased the domestic cultivation of marijuana.

As Sheriff of Mobile County I appreciate the efforts of this committee and hope that your findings will give us an accurate account of the problem.

Thank you.

Senator DENTON. We'll now hear from Maurice J. Stack, Jr. We'll ask him to step forward. He's the special agent in charge of the Mobile division of the Federal Bureau of Investigation.

Welcome, Mr. Stack. I believe you have a colleague appearing with you. Would you care to introduce him?

Mr. STACK. Yes, Mr. Chairman. He's Michael Balgley, who is the chief of the organized crime unit from headquarters.

Senator DENTON. Welcome. And you may proceed, sir.

STATEMENT OF MAURICE J. STACK, JR., SPECIAL AGENT IN CHARGE, FEDERAL BUREAU OF INVESTIGATION, MOBILE, AL

Mr. STACK. Mr. Chairman and members of the subcommittee, my name is Maurice J. Stack, Jr., and I am the special agent in charge of the Mobile division of the FBI. I am responsible for FBI investigative efforts in approximately 65 percent of the State of Alabama. This territory includes two judicial districts; the Southern District of Alabama centered at Mobile and the Middle District centered at Montgomery. FBI responsibility in the remaining portion of the State containing the Northern Judicial District is under the direction of the special agent in charge headquartered at Birmingham.

On January 28, 1982, the Attorney General delegated to the FBI concurrent jurisdiction with the Drug Enforcement Administration to investigate violations of the Comprehensive Drug Abuse Prevention

and Control Act of 1970, commonly referred to as title 21. Prior to that date, FBI—Mobile had been involved in investigations pertaining to narcotics under the racketeer-influenced and corrupt organizations [RICO], and the interstate transportation in aid of racketeering [ITAR], statutes targeted at traditional organized crime groups.

An investigation using the RICO statute involved the smuggling of 18,000 pounds of marijuana on a DC–4 aircraft into the State of Alabama. Information initially developed by the FBI was disseminated to DEA and the Alabama Bureau of Investigation. Through this information the ABI was able to successfully place two undercover agents in a position to infiltrate this drug-trafficking organization. In the midst of the investigative phase of this case, the FBI was granted concurrent title 21 jurisdiction and the members of this drug-trafficking group were prosecuted under title 21. This case resulted in 18 indictments, 18 felony convictions, $275,000 in fines, and recoveries valued at a total of $3,774,000, including the seizure of the DC–4 airplane, several vans, trucks, automobiles and, of course, the 18,000 pounds of marijuana.

We are now directly investigating narcotics matters to the extent that 15 percent of all our investigative resources in the Mobile division are dedicated solely to this problem.

I would step away from my prepared statement just a moment and state that we hardly have a single case where we do not work with some other State or local agency. It may be in a given case, it is a particular sheriff's department. More times than not it involves the Alabama Bureau of Investigation. Senator Cochran made several comments about the extent of the cooperation. It's excellent, it's actually excellent.

The size of this commitment of resources can be realized with the recognition that the FBI also has the responsibility for investigating violations of over 200 other categories of Federal law.

Although the FBI recognizes it is relatively new to narcotics investigations, we are able to provide a wealth of investigative experience to augment this effort. We have an intelligence network and personnel well trained in financial and undercover investigations, and we intend to concentrate our efforts on long-term complex investigations which are aimed at both attacking the management level of sophisticated drug cartels that make huge profits and tracking the financial flow of drug profits for seizure. The FBI believes an attack on the financial pursestrings of narcotics traffickers is essential to the elimination of the problem of illegal drugs.

In these narcotics investigations, the Mobile division works closely and in most cases with other Federal, State, and local agencies, including DEA, U.S. Customs, IRS, ABI, and police departments and sheriff's offices. To date, this effort has resulted in the convictions of 32 drug distributors, with 12 additional indictments awaiting trial. In addition, $25,433,813 in recoveries, $285,610 in court-ordered forfeitures, and $275,000 in fines have resulted.

However, more importantly, these initial efforts and investigative successes have provided the Mobile division of the FBI with the necessary experience to develop an intelligence base and expertise in narcotics matters which is most helpful in major ongoing investigative efforts.

I have been advised that the purpose of this hearing is: No. 1, to study the impact of the South Florida Task Force on drug trafficking in the gulf coast, with emphasis on the Port of Mobile; and No. 2, to seek a comprehensive assessment of the drug problem in Alabama.

It is difficult to completely assess the drug problem in Alabama. There are indications that the drug supply is increasing. In addition, the purchasers are no longer limited to street criminals who depend on burglary and other crimes to support their habits. Drug abuse has spread to those in professions and businesses. No longer is the money originating from just underworld sources. Now some persons usually occupied in legitimate businesses and professions can be found brokering drugs. It is difficult to definitely state what is the total amount of drugs available in or passing through Alabama, or to strike comparisons between the amounts available now and in the past. However, there are some measures of success in the fight against illegal drug trafficking. We can point to more cases under investigation, the involvement of more law enforcement, more convictions, more seizures, and more public recognition of the problem. We in law enforcement are continuing our efforts to deal with the problem and to work our way toward the very answers you seek here today.

For example, let me mention two of our major cases involving DEA, ABI, and the FBI. One case involved the crash landing of a twin-engine plane during bad weather at the Dothan Airport in Dothan, AL, on March 15, 1983. Onboard this aircraft were 652 pounds of cocaine, which was seized along with the aircraft. Approximately 1 week later, an additional 90 pounds of cocaine was discovered in a field located 300 yards from the aircraft's original site. The pilot of this aircraft was convicted and sentenced to 10 years in the Middle District of Alabama for violation of title 21, U.S.C.

Another incident involved the landing of a twin-engine aircraft in Dannelly Field, Montgomery, AL, on August 4, 1983. This aircraft taxied to a remote area of the airport causing an airport employee to become suspicious and call for law enforcement. This aircraft had onboard 815 pounds of cocaine, and seven individuals were arrested in connection with this incident. To date, three have been indicted and two have been convicted on four counts involving title 21. These two seizures mentioned above represented a wholesale value of cocaine in excess of $350 million.

In these cases the combined Federal, State, and local response to these incidents was quick, coordinated, and successful, and they illustrate law enforement's ability to react to targets of opportunity and follow through with investigation and prosecution. But since we had no advance intelligence information about either of these flights, these cases also illustrate that there are limits to our knowledge of the problem of smuggling drugs through the use of light aircraft. If the pilot of one aircraft had not run off the runway and if the subjects in the other case has not acted so suspiciously, the activity might have gone undetected, and the loads might have been distributed as planned. With this awareness, we are constantly working to build up our fund of intelligence information to increase our effectiveness in detecting drug law violations.

The State of Alabama has many airfields which are located in rural and remote areas. These airfields consist of those located on private

property, as well as public ones. Because many of these airfields are located in remote places, are unmanned, and have runway lights that can be activated through a radio transmission signal from the aircraft, they are attractive to drug smugglers. Additionally, Alabama is geographically located so that fuel requirements for twin-engine light airplanes are not exceeded on trips from the Bahamas, Central, and South American countries. It should be noted that aircraft smuggling is just one of the three major drug problems pertaining to Alabama. The other two involve drug importation by boat and the growing of domestic marijuana. At the present time, the Mobile division of the FBI is developing an intelligence base to ascertain the extent of the problem in each of these three areas.

Regarding waterborne deliveries, there is reason to believe that the historical shrimp boat caravans have been significantly reduced. That is generally credited to the blockage of the Yucatan Peninsula by the U.S. Coast Guard. I have seen no evidence that such deliveries again increased because of the south Florida coast being shut off. With regard to airborne delivery, it is again difficult to determine whether planes are flying into Alabama now, that originally went into south Florida. We don't know exactly how many went to either place before the formation of the South Florida Task Force and we don't know exactly how many go to either place now.

However, the Mobile Division has conducted several investigations in which information has been developed indicating that drug smugglers, in addition to utilizing the south Florida area, are also interested in other locations, including Alabama, for their drug smuggling operations. In one case a major significant trafficker in the State of Alabama was convicted along with his two suppliers from the south Florida area. This investigation utilized the undercover technique, and tape recordings were made between the main subject and cooperating informant. The main subject stated that he was concerned that smuggling by boat from South America into the south Florida area was becoming riskier due to the existence of the Vice Presidential Task Force.

In another investigation, it has been determined that the drug trafficking organization involved has changed from boat smuggling to aircraft smuggling due to the fact that it is considered safer.

In terms of the growing of domestic marijuana, Alabama has the climate and soil suitable for the cultivation of high-grade sensimilla marijuana. Additionally, this high-grade sensimilla marijuana can be grown in heavy stands of pine in rural Alabama, making it almost impossible to spot from the air. In addition to this technique of growing marijuana in the forests, plants are covered to accelerate the growing process. Sensimilla marijuana grows in south Alabama to approximately 15 to 20 feet in height. One large grower admitted to us that he realizes approximately $1,000 from one single plant. Sensimilla marijuana sells for $1,200 to $2,000 per pound.

During August and September 1983, Mobile FBI investigated a large sensimilla marijuana operation in Baldwin County. One thousand two hundred pounds of high-grade sensimilla were seized. Seven growers were arrested. The sensimilla was valued conservatively at $1,200,000. Investigation determined these individuals operated undetected during the previous year and realized a profit of $485,000.

As a result of this case, six additional marijuana fields were located; however, these fields had already been harvested. An additional eight fields were located on October 18. These fields had also been harvested and were located in Baldwin County, AL. Much intelligence information has been received showing large-scale growing of domestic marijuana occurs in Mobile, Baldwin, Escambia, and Washington Counties. Mobile office has initiated investigations into other growing operations in these counties.

Mr. Chairman, there is some obvious logic to postulate that if there is sufficient interdiction regarding the importation of narcotics in south Florida, the drug operations will move up the coast to the Gulf States. Alabama's gulf shoreline is limited compared to the Panhandle of Florida and the States of Mississippi, Louisiana, and Texas, and it may be that those areas are more attractive to boat smuggling. In any event, while they may experience a somehow measurable increase due to the impact of the South Florida Task Force, I cannot state that I am aware of any impact in Alabama on either water or airborne deliveries of narcotics, and certainly the growing of marijuana is not caused by it.

As we gather more intelligence and continue to conduct successful investigations, we will be learning more about the drug problem in Alabama. On a most positive note, law enforcement cooperation is, I believe, at the highest it has ever been. This cooperation is overall. It exists between Federal agencies and among Federal, State, and local law enforcement.

But this problem, generally described as the Nation's No. 1 crime problem, is pervasive, and needs more than just law-enforcement efforts to control; more than just changes in the judiciary and penal system to eliminate soft sentences and early parole. Your presence, Mr. Chairman, shows the absolutely essential congressional interest and concern.

Public awareness of this problem has been greatly heightened, but renewed efforts to solicit the cooperation of family, civic, and church groups are necessary to overcome the public apathy that still remains. What is lacking to this day in combating narcotics is public outrage.

I want to thank the members of this subcommittee for allowing me to provide testimony on this significant topic.

I am now prepared to answer any questions you may have.

Senator DENTON. Thank you very much, Mr. Stack. You are rather coldly realistic and I'm sure authoritatively so in your overview.

The lack of public outrage is evidenced again on our newsstands where we have, what is it, "High Times" or "High Life," what's the name of that one: are you familiar with that?

Mr. STACK. "High Times."

Senator DENTON. "High Times." That magazine, I've been seeing it for about a year or so. I don't know how long it's been up there. But it contains advertisements for electronic equipment, other detection equipment, infrared to be sold for the purpose of or to be bought for the purpose of evading the Coast Guard, for example. I find it difficult to understand why if drug smuggling is a Federal offense that we can have such magazines with such advertisements. There are motorcycle-related magazines which deal with drugs and many sexually oriented magazines which deal with drugs in the same way.

It makes me wonder if there isn't some lack of logical connection with, say, the FCC or some Senate committee that has something to do with that when we permit the exploitation of drug smuggling, encourage it and sell it by magazines which we permit in our free society. A free society is one thing; but a society which is killing itself without public outrage, indeed, without public awareness or concern about it I concur with you is a fundamental problem.

Mr. STACK. Are we much different, sir, from the fuzz busters concealed in the dashboards of prominent citizens' cars to hold the speed limit down?

Senator DENTON. I agree. You can carry that down through a lot of imperfections. But I think the one involving drugs from what I've seen of the results here in this country and in other countries is one which should be viewed with priority concern.

You also seem to have running through your testimony a train of thought that perhaps in addition to equipment concentration, new organizations which concentrate on the functions of interdiction, that perhaps it might be more efficient somehow to improve our intelligence that we can make any of those efforts more effective. I believe Mr. Mullen testified to the DEA having like 85 agents distributed through 14 Latin American countries. Recognizing the FBI is thinly spread, knowing as I do what the KGB and others do, how they outnumber and outperform us and without wishing to make a closed society, I'm afraid that you're probably right, that we could use some more there.

Would you develop that thought any further?

Mr. STACK. Well, we talk about the aircraft coming in with a load of cocaine. But the major effort is not in flying that airplane but in the location of the landing site, the landing surveillance, the establishment of virtually a command post in logistical support to carry out the distribution to mobile homes and recreational vehicles. The pilot of the airplane can keep things pretty quiet because maybe he's the only one, he will not have any other members of the gang to deal with to start with. But there's an awful lot of support people out there, that if we can develop informant coverage and we can get to those people where they can start providing us with the information about the incoming aircraft, about where it might be coming in and when it might be coming in, then we do have an opportunity to utilize intelligence information to work our way up the financial ladder and, of course, apprehend the aircraft when it comes in.

Senator DENTON. Is moiety being used to the maximum practical degree, or could we use something more in that field?

Mr. STACK. I'm not familiar with that word.

Senator DENTON. I wasn't either until I got into the subcommittee. It has to do with providing rewards, almost bribes, if you will, to the underworld through the—right now the system is through the sale of equipment which has been confiscated in that particular crime area.

Mr. STACK. If I may defer to Mike who has a national perspective on that.

Mr. BAILEY. We are not in the FBI using that technique very often. But I believe you should ask the U.S. Customs Service that question because I believe they have found considerable use for it because of the nature of their responsibilities.

The Racketeering Influence in Corrupt Organizations statute does provide a section for payments to informants out of seized property. But that takes such a time that we have found the more practical approach is to utilize our budget and funds for those purposes and pay promptly for information and data.

Senator DENTON. Well, if I may. I have known Mr. Miller in the Senate. I've forgotten to ask you that question.

Mr. Miller, you and I have discussed it previously with respect to confiscated equipment. If you would develop that theme, I would appreciate it.

Would you provide for the committee, Mr. Stack, distinguishing traits or characteristics of organized crime and other organizations and independent entrepreneurs trying to make a quick buck in narcotics trafficking? I ask that as a preface to inviting you to provide information regarding organized crime activities in the Mobile area. And would you give us a fuller appreciation of the problem?

Mr. STACK. If I could expand your Mobile area to be 65 percent of the State which I have responsibilities. There is no traditional LCN residing in the State of Alabama.

We do have some peripheral contact wi. Interstate 10 which runs east and west between New Orleans and Florida. We do have LCN entities in both locations.

We have cooperated with our sister field offices in New Orleans and those in Florida and certain operational aspects that take place within Alabama. There are, as you know, international drug cartels that show no particular favoritism to individual States. And that representation is present in the State of Alabama.

I really should not go into that further.

Senator DENTON. How are you fixed with respect to your capacity to handle requests for assistance from local agencies, are you saturated or do you feel somewhat comfortable as Mr. Sessions did with his from his particular respect?

Mr. STACK. Very close to being saturated, Senator. In a similar question you asked one of the previous witnesses as to cases being turned down, there are times that we have to do that. We just do not have an available agent or that particular case that is being presented just simply does not have the stature of those which we are involved.

Senator DENTON. How many agents do you have in your division, how many are working? You said 15 percent roughly of the emphasis goes into drug trafficking?

Mr. STACK. Seven agents.

Senator DENTON. Seven agents?

Mr. STACK. In drug trafficking.

Senator DENTON. I realize that 65 percent of the State is a lot geographically. But I guess the fellow up in Birmingham has his problems because of population.

Mr. STACK. Yes, sir, he does.

Senator DENTON. What examples of great sophistication on the part of drug traffickers poses the greatest barrier to investigation and arrest by the FBI? It seems that you have a pretty good record down here of arrests and then prosecution. Does that prosecution then carry on through, with not too light of sentences or too early

of a parole? That's just one aspect of it. What gives you the greatest problem in their sophisticated operations?

Mr. STACK. There has been a great deal of concern about the use of the Bearcat scanner type of equipment. The fact that we do not have voice privacy-type communication. I'm not saying anything that has not already been discussed. There's been appropriations, requests, and moneys have been made available. In a recent case involving marijuana in Baldwin County, elements of the Alabama Bureau of Investigation, the DEA, FBI, and ABI were all involved. We do not have common frequencies. And we utilized a procedure in which we loan out our equipment to other units or we patch ABI with the FBI or the DEA with the FBI, so we can have some kind of communication. It's a very expensive problem and one that's being looked into.

Senator DENTON. And you can imagine that problem with your colleagues and with local authorities, State and county and city out in California with respect to such heavily populated areas as Los Angeles with the task of taking on the 1984 Olympics, for example. In many cases it's not a financial limitation, it's an FCC limitation on the use of frequencies, as you know.

Mr. STACK. Yes.

Senator DENTON. What money-laundering activities are you aware of taking place in the area of your division?

Mr. STACK. I really haven't seen any large scale money laundering taking place here, Senator. I would not in any way say it's not taking place, but we certainly have not had any experience with it here.

Senator DENTON. Senator Cochran will be submitting questions in writing and you may be receiving some from us. And I want to thank you for your expert testimony and the courtesy of both of you in appearing this morning.

Mr. STACK. Thank you, sir.

Senator DENTON. The next witnesses will be in the form of a panel. I'll ask Robert J. Grimes and Rick Miller to step forward.

Mr. Grimes, who is in the brown suit, is the Regional Commissioner, South Central Region, U.S. Customs Service, and Mr. Rick Miller is a special assistant to the U.S. Customs Service. And I will ask you to proceed in whatever order you have predecided.

STATEMENTS OF RICK MILLER, SPECIAL ASSISTANT, AND ROBERT J. GRIMES, REGIONAL COMMISSIONER, SOUTH CENTRAL REGION, U.S. CUSTOMS SERVICE

Mr. MILLER. Thank you, Mr. Chairman.

Mr. Chairman, in the interest of time, I will try to summarize my testimony. And after my testimony Mr. Grimes will have a brief bit of testimony as to the nature of the smuggling threat in this particular region. I think he'll probably try to summarize his testimony as well.

Senator DENTON. If you both desire that your full prepared written testimonies be made a part of the record, we will enter it.

Mr. MILLER. I would appreciate that very much, Mr. Chairman.

Senator DENTON. Without objection, it's so ordered.

Mr. MILLER. Mr. Chairman, I'm pleased to come before you today to discuss the efforts of the U.S. Customs Service to combat illicit drug trafficking at our Nation's borders. As you are so keenly aware, Mr.

Chairman, the problem this Nation faces with respect to the smuggling and use of illicit drugs is simply staggering. It is by any measure a tragic and serious problem which should be of great concern to all Americans.

I am, however, delighted to be here today because of your hearing and the important work of your subcommittee is providing this administration with an excellent opportunity to better inform the American people about the serious nature of the drug-smuggling threat. And I might also add, if I may, Mr. Chairman, that we're honored to be here today before your panel, because the panel that is assembled here today, along with a few other Members of the Senate who were unable to be here, really, in our minds, constitutes the leadership, the cutting edge, so to speak, of the U.S. Senators, those Members who are leading the fight against narcotic smuggling and drug threats.

With respect to Senator Hawkins, I'm not sure our words would be adequate to describe all that she has done. She has crisscrossed the country and probably put in more appearances at more hearings than any other person in the United States in an effort to do something about this problem.

Senator Cochran plays a key and strategic role on the Appropriations Committee, the Defense Subcommittee, and a great deal of our efforts to enhance our ability to interdict drugs, especially in getting the equipment from the military, simply probably would not be happening if it weren't for the fine work that Senator Cochran was doing on the Defense Appropriations Subcommittee.

And, of course, Senator, I would like on behalf of the U.S. Customs Service, and I really think I could probably speak on behalf of all the Federal law enforcement agencies, to thank you for your leadership in the area of Federal law enforcement and for the concern which you and your subcommittee have continually displayed with important law-enforcement matters, not only national security matters, but other serious problems, such as organized crime and narcotics trafficking.

The fact that you are a forceful spokesman for effective law enforcement is appreciated by all of us within the Federal law-enforcement community. And, again, on a personal note, I can think of no other individual who is better equipped to help lead in this fight, having in your career, another time, another place, very personally confronted the forces of evil. Again, I believe that you are well equipped to in this day and time lead and help in this fight against a very real other form of evil, narcotics and narcotics abuse; and the moral leadership that you are providing is an inspiration to us all.

Mr. Chairman, historically, Customs Service has had a broad mission, including the collection of revenues, the administration of laws relating to trade and tariff matters and numerous activities in the law-enforcement area. Especially activities relating to the smuggling of contraband including narcotics.

Today, the Customs Service bears a major responsibility for interdicting all drugs being smuggled into the United States.

The Gulf and South Atlantic coasts continue to be primary entry points for smuggling of narcotics and drugs.

One important area that has received a great deal of attention and publicity is the threat we face in the air from smugglers who are bring-

ing cocaine, marijuana, and methaqualones into the country via private aircraft.

The tactics that we employ to combat this type of air smuggling are generally speaking as follows: Whenever and wherever possible, we try to identify target aircraft via the use of radar. This includes FAA radars, Customs-manned radars and military radars such as the Seek Skyhook-tethered balloon located in Cudjoe Key, FL.

Additionally, our utilization of data from military AWACS and E–2C aircraft also helps us to identify and track smuggler aircraft which are attempting to penetrate our borders. The ability to detect smuggler aircraft attempting to penetrate our borders is, of course, the first and most important element of our air strategy. Obviously, we must be able to first detect the presence of a smuggler aircraft before other enforcement measures can be taken.

Typically, once a suspect aircraft has been identified via radar, we will then launch a Customs plane in an attempt to intercept and track the suspect smuggler.

Once the suspect aircraft is intercepted, our Customs plane will attempt to secretly track the aircraft to its destination, which often turns out to be a remote airstrip located somewhere in the southern or southeastern part of the country.

In order to track smuggler aircraft, some of our Customs planes have been modified and equipped with sophisticated sensors, which enable our aircraft to intercept smuggler planes more easily. We have some aircraft equipped with F–16 fighter radar, as an example. Some of our aircraft are also equipped with FLIR, which is known as forward looking infrared which helps us visually track a suspect aircraft during hours of darkness.

Mr. Chairman, it is not unusual for our pilots to have to follow the smuggler aircraft at night oftentimes flying with lights out. When the smuggler aircraft makes his clandestine landing, we attempt whenever possible to actually land our aircraft on the ground behind the smuggler's plane. Mr. Chairman, I can assure you that this is risky business. Our officers, flying at night with lights out, really don't know what's going to be waiting for them on the ground. It's a very dangerous situation and I think it's a real compliment to the type of men we have onboard in our offices, who really place their lives in jeopardy going into these small clandestined strips at nighttime.

If possible, Mr. Chairman, we also try and put a second aircraft on the ground or, preferably, to have a Customs helicopter available to land and assist in making arrests. Of course, we also will call State and local law enforcement officials to participate in the smuggler's apprehension when a smuggler's plane lands like this, and we've been getting excellent cooperation from State and local authorities.

The planned loan of aircraft from the Department of Defense represents for the Customs Service the single most significant step forward to date in the development of a comprehensive air interdiction program. We currently have on load four Cobra helicopters and one Blackhawk helicopter which has been made available to us by the Army. We anticipate receiving three more Blackhawk helicopters from the Army in the coming months ahead. And I would like to reference this picture, Mr. Chairman. This is the Blackhawk that the Army has generously provided to the Customs Service and has been used in a number of cases very effectively.

Plans are also in progress for the Customs Service to obtain from the Navy a total of eight P–3 aircraft over the next 2 fiscal years. And this is a picture of the P–3. And, of course, Admiral, I know you're familiar with the aircraft. Of course, Senator Cochran, with his influence and respecting a man and the position he plays in the Appropriations Committee, is moving this project along quite nicely and we're greatly appreciative of that, Senator.

The P–3 aircraft is a large four-engine plane that can remain aloft for several hours at a time and has a considerable flying range. We envision equipping these aircraft with an F–15 interceptor radar and a forward looking infrared and also utilizing the existing detection equipment on the aircraft which is suitable for tracking vessels at sea.

The first radar and FLIR-equipped P–3 aircraft hopefully will be available to the Customs Service for evaluation in the summer of 1984. The acquisition of this equipment will enable us to expand our module concept and provide greater detection and interception capabilities in areas where the threat has increased, the gulf area, along the Atlantic coast and in the Southwest and Western border areas.

Additionally, negotiations are underway for the U.S. Customs Service to acquire several C–12 twin engine or similar light aircraft from the Department of Defense. Again, we have a photo of the C–12 which is the military version of the Beach King Air. And this is an excellent aircraft for us to use as a tracker airplane. We have some of the civilian version in our fleet already.

I would like to emphasize that with respect to all of these assets which the administration has helped make available to the Customs Service, that they will be manned by Customs Service personnel and they will be kept in such condition such that they could be returned to the military in the event of a national defense emergency.

Mr. Chairman, we also face a tremendous marine smuggling threat that's been discussed by Coast Guard officials and others. But there we're talking primarily about large mother ships that come up from Colombia. And the Coast Guard has done an excellent job in intercepting a lot of those large shipments of marijuana, particularly at check points. And in that respect, the Customs Service also maintains a marine patrol. And our marine patrol officers are located on boats, we have some boats that we send out that we use as radar platforms that we will send offshore. And we try to identify the clearly coastline traffic and separate that out from traffic which we know is coming from far offshore or foreign countries. We try and separate that out. And if we have a suspect vessel, we try and use their patrol craft, which are usually small, high-speed vessels, to stop and board any suspect ship and subject the vessel to a search. And this, I might add, is an area that we are having a great deal of, I would say, difficulty in the sense that there are a lot of small vessels and pleasure craft traveling out there. But, again, the Coast Guard has done an excellent job in this area.

Mr. Chairman, we have an awful lot of narcotics that are brought into this country as sea cargo. We see narcotics smuggled into the country through the international mail facilities and letters and packages. We have narcotics brought into the country on passengers. So, I would like to emphasize that we really face a multifaceted threat in regard to the smuggling of narcotics. And it requires on our part a

continual review of our resources and of our strategy to combat the threat which oftentimes shifts back and forth with respect to particular pressures that we might be applying to any one type of drug smuggling technique.

Mr. Chairman, of course, we play a significant role in NNBIS that's been discussed previously, and I will not go into that in any greater detail on the account of time.

We also are playing a major role with respect to the presence of the 12 city-organized crime strike forces, where we have approximately 200 agents who are dedicated to that effort and are investigating the laundering of drug money.

Mr. Chairman, I would like to conclude by emphasizing that under this administration the strengthening of the enforcement posture and capabilities of Customs as they relate to drug interdiction remains our agency's top priority. In this regard we have significantly restructured the management of our enforcement activities not only at headquarters but at the regional level as well. And we have attempted, whenever and wherever possible, to devote more resources and more attention to serious law enforcement matters.

Although we think we are doing a credible job, I can assure you that our commissioner is not satisfied with the status quo. All of us who are involved in trying to fight the drug menace must continue to work together to do the very best possible job we can to halt the flow of narcotics into this country and to put more dope peddlers behind bars.

Although the difficulties we face are many and although we do not pretend to have all the answers to the problems, we pledge, and I know our colleagues in the other enforcement agencies pledge as well, to continue to fight this menace with all the collective ingenuity and energy we can possibly muster.

Mr. Chairman, I know you regard this as a moral obligation and we do as well.

Mr. Chairman, after Mr. Grimes' testimony, we can go into the moiety situation and the problems of forfeiture we have encountered concerning that question.

After his brief testimony, with your indulgence, we have a brief video tape we would like to play for the committee, and it concerns narcotics interdiction. We have two examples of air chases at nighttime utilizing military assets. I think it's an excellent opportunity to see how the military can help and is helping with this problem.

[The prepared statement of Mr. Miller and a letter to Senator Denton, subsequently submitted for the record, follow:]

PREPARED STATEMENT OF RICHARD MILLER

Mr. Chairman and Members of the Subcommittee:

I am pleased to come before you today to discuss the efforts of the United States Customs Service to combat illicit drug trafficking at our Nations borders. As you are so keenly aware, Mr. Chairman, the problem this Nation faces with respect to the smuggling and use of illicit drugs is simply staggering. It is by any measure, a tragic and serious problem which should be of great concern to all Americans.

I am, however, delighted to be here today because your hearing, and the important work of your subcommittee is providing this Administration with an excellent opportunity to better inform the American people about the serious nature of the drug smuggling threat.

In that regard Mr. Chairman, I would like, on behalf of the U.S. Customs Service -- and I think I can speak for other law enforcement agencies as well -- to thank you for your leadership in the area of Federal law enforcement and for the concern which you and your subcommittee have continually displayed with important law enforcement matters -- not only concerning national security issues -- but other serious problems such as organized crime and narcotics trafficking. The fact that you are a forceful spokesman for effective law enforcement is appreciated by all of within the law enforcement community -- and again we thank you for your interest and concern.

Mr. Chairman, the Customs Service is an old and proud agency with a rich heritage and a colorful background. As you

may know the Customs Service was the first of our Nation's Federal law enforcement agencies to be established. The second act of the Continental Congress was, in fact, to create the Customs Service. Historically Customs has had a broad mission, including the collection of revenues, the administration of laws relating to trade and tariff matters and numerous activities in the law enforcement area, especially activities relating to the smuggling of contraband, including narcotics.

Today, Mr. Chairman, the Customs Service bears a major responsibility for interdicting all drugs being smuggled into the United States.

I will give you a brief overview of the national smuggling threat and Customs enforcement activities and Regional Commissioner Grimes will address the situation in this region and in Alabama in more detail in his testimony.

The Gulf and South Atlantic coasts continue to be primary entry points for smuggling of narcotics and drugs. Our intelligence analysts predict that in this calendar year, 82 per cent of the cocaine, 27 percent of the hashish and 86 percent of the marijuana introduced into the United States will penetrate our shoreline between Brownsville, Texas, and Norfolk, Virginia. Specific predictions are that 20% percent of the cocaine and 12% percent of the marijuana will be smuggled into the Customs South Central Region - which comprises the states of Alabama, Mississippi, Louisiana, Arkansas, and Tennessee.

Mr. Chairman, one important area that has received a great deal of attention and publicity is the threat we face in the air from smugglers who are bringing cocaine, marijuana and methaqualones into the country via private aircraft. 96,800

pounds of cocaine will enter the United States in 1983. Of this amount, we estimate as much as 40,000 pounds (or about 41 percent of the total cocaine entering) will be smuggled by private aircraft. Obviously, there is a large smuggler population we have yet to stop or effectively deter. The tactics we employ to combat this type of air smuggling are, generally speaking, as follows:

- Whenever and wherever possible, we try to identify target aircraft via the use of radar. This includes FAA radars, Customs manned radars, and military radars, such as the Seek Skyhook tethered balloon located in Cudjoe Key, Florida. Additionally, our utilization of data from military AWACS and E-2C aircraft also helps us to identify and track smuggler aircraft which are attempting to penetrate our borders. The ability to detect smuggler aircraft attempting to penetrate our borders, is of course, the first and most important element of our air strategy. Obviously, we must be able to first detect the presence of a suspect aircraft, before other enforcement measures can be taken.

- Typically, once a suspect aircraft has been identified via radar, we will then launch a Customs plane in an attempt to intercept and track the suspect smuggler aircraft. Once the suspect aircraft is intercepted, our Customs plane will attempt to secretly track the aircraft to its destination, which often turns out to be a remote airstrip located somewhere in the southern or southeastern part of the country.

- In order to track smuggler aircraft, some of our Customs planes have been modified and equipped with sophisticated sensors which enable our aircraft to intercept smuggler

aircraft more easily. We have some planes equipped with the F-16 fighter radar as an example. Some of our aircraft are also equipped with FLIR, which is known as Forward Looking Infrared, which helps us visually track a suspect aircraft during hours of darkness.

It is not unusual for our pilots to have to follow the smuggler aircraft at night, flying with lights out. When the smuggler aircraft makes his clandestine landing, we attempt, whenever possible, to actually land our aircraft on the ground behind the smuggler's plane. I can assure you this is risky business - our officers, flying into a clandestine air strip at nighttime, really don't know what might be waiting for them. If possible we also try to and put a second aircraft on the ground or, preferably, to have a Customs helicopter available to land and assist in making arrests. We also will call state and local law enforcement offices to participate in the smuggler's apprehension.

In dealing with the air threat, Mr. Chairman, our major goal is to expand our air interdiction capabilities with additional resources which hopefully will be made available to Customs through the relaxation of the provisions of the Posse Comitatus statutes. We envision the loan of additional highly sophisticated interception and tracking aircraft from the military which will be radar and FLIR-equipped, along with additional state of the art helicopters to be used for apprehension.

The planned loan of aircraft from the Department of Defense represents for the Customs Service the single most significant step forward to date in the development of a comprehensive Air Interdiction Program. We currently have on

loan four Cobra helicopters and one Blackhawk helicopter which has been made available to us by the Army. We anticipate receiving three more Blackhawk helicopters from the Army in the coming months ahead (reference picture). Plans are also in progress for the Customs Service to obtain from the Navy a total of eight P-3 aircraft over the next two fiscal years (reference picture). The P-3 aircraft are large four-engine planes that can remain aloft for several hours at a time and have a considerable flying range. We envision equipping these aircraft with an F-15 interceptor radar and a Forward Looking Infrared, and also utilizing the existing detection equipment on the aircraft, which is suited for tracking vessels at sea.

The first radar and FLIR equipped P-3 aircraft should be available for Customs evaluation in the Summer of 1984. The acquisition of this equipment will enable us to expand our air module concept and provide greater detection and interception capabilities in areas where the threat has increased -- the Gulf area, along the Atlantic Coast, and in the Southwest and Western border areas.

Additionally, negotiations are underway for the U.S. Customs Service to acquire several C-12 twin engine or similar light aircraft from the Department of Defense (reference picture). The C-12 is the military version of the Beach King Air which is an excellent type of plane for us to use as a tracker aircraft. We are grateful to the Department of Defense and the Congress for the interest that has been shown in making these military assets available to us to use for drug interdiction purposes. I would like to add that these aircraft will be manned by U.S. Customs' personnel and will be maintained by the U.S. Customs Service in a manner and condition such that they could be transferred back to the military in case of a national defense emergency.

Mr. Chairman, we also face a tremendous marine smuggling threat, particularly in the southern part of our country. There we are primarily faced with smugglers who are bringing large quantities of marijuana into the country. In Colombia the marijuana is laden onto large motherships which make their way back to U.S. offshore waters; in these offshore waters, the marijuana is then transferred to several smaller sporting vessels or high speed recreational boats and brought into numerous landing sites, such as bayous, inlets and canals located along our coastline. Private vessels, such as shrimp boats, that are capable of sailing to Columbia and back to the U.S., also constitute a significant smuggling threat.

Our strategy in combatting this type of smuggling consists primarily of deploying unmarked large pleasure craft which are manned by Customs personnel at strategic points off our coast. These larger vessels are equipped with sophisticated radar and serve as mobile radar platforms to identify sea traffic which is coming in along the coast. Sorting out the marine traffic and identifying suspect vessels is a major problem and in this regard we try to separate out the coastline traffic from the traffic which is clearly coming from far offshore or foreign waters.

Used in conjunction with these radar platform vessels, we have unmarked high speed pursuit vessels which patrol the nearby areas and when a suspect vessel is either identified via radar or visually, we will attempt to intercept the vessel and board and search it. We normally concentrate our marine resources in the high smuggling threat areas, but vary the location and hours during which our Customs vessels are on patrol. These Customs marine activities typically take place in waters which I should add, are relatively close in to our coastline -- while the Coast Guard, with which we have an

excellent relationship, usually is patroling further out at sea, often locating their large cutters in strategic choke points in the Carribean.

Mr. Chairman, the marijuana and cocaine trade has become so lucrative that the smugglers are often able to purchase and operate top-of-the-line vessels equipped with the latest and most sophisticated communication and navigational gear. Occasionally, upon forfeiture to the Government, we are able to utilize seized vessels, aircraft and equipment. However, the seizure, forfeiture and litigation processes are currently so lengthy that frequently, forfeited equipment, by the time it is made available to us has greatly deteriorated and is no longer economically suited for offical use. Legislation which would, in effect, dramatically speed up this process is currently being considered by various House and Senate committees, and we are hopeful that positive action will be taken in this session of Congress, and we are grateful for your interest and support.

Also in the marine area, we are exploring other tactical methods, including rapid deployment procedures whereby we might be able to deploy, within a short time-frame, increased numbers of marine patrol units into an area. An example of such a capability would be the quick deployment of an expanded marine patrol, including personnel and vessels to meet a perceived shift or surge in smuggling traffic, or to carry out special enforcement operations over a period of several days or weeks.

And we are currently conducting tests on a comprehensive marine detection and interception system. In any event, Mr. Chairman, the threat we face in the marine area is serious and it has become a priority in our enforcment efforts.

Thus far, I have discussed our tactical enforcement posture for combatting smuggling by private aircraft and vessels. Our inspectors and other enforcement officers must contend with smuggling by numerous other methods as well.

Significant amounts of cocaine, heroin - especially heroin - hash oil and some marijuana are smuggled into the United States through international airports - by air passengers and in air cargo. Likewise, cocaine and some heroin and other drugs arrive in our seaports, having been hidden, presumably by crew members, on generally legitimate commercial carriers or concealed in shipping containers or in other sea cargo.

Drugs are also smuggled into the country at our land border crossings and also via the international mails.

As a response to smuggling in cargo, we have created special Cargo Enforcement Teams (CET) comprised of specially trained inspectors, whose specific mission is to search arriving cargo and carriers for contraband. The use of detector dogs continues to be productive in locating drugs at airports, seaports, land border crossings, and at international mail processing facilities.

The National Narcotics Border Interdiction System (NNBIS), was discussed earlier, and Customs is playing a major role in the coordination of this program.

The Customs Service also plays a major role in the Administration's 12 city organized crime task forces. We have 200 agents dedicated to that effort who are involved with investigating the "laundering" of drug money.

Mr. Chairman, I would like to conclude by emphasizing that under this Administration the strengthening of the enforcement posture and capabilities of Customs as they relate to drug interdiction remains our Agency's top priority. In this regard we have significantly restructured the management of our enforcement activities not only at Headquarters but at the Regional level as well - and we have attempted whenever and wherever possible to devote more resources and more attention to serious law enforcement matters.

Although we think we are doing a creditable job I can assure you that our Commissioner is not satisfied with the status quo. All of us who are involved in trying to fight the drug menace must continue to work together to do the very best possible job we can to halt the flow of narcotics into this country and to put more dope peddlers behind bars.

Although the difficulties we face are many and although we do not pretend to have all the answers to all of the problems, we pledge and I know our colleagues in the other enforcement agencies pledge, as well, to continue to fight this menace with all the collective ingenuity and energy we can possibly muster. I know you regard this as a moral obligation and we do as well. Thank you Mr. Chairman, after Mr. Grimes concludes his testimony we have a brief video tape we would like to show the committee and then we will be delighted to answer any questions the Subcommittee may have.

DEPARTMENT OF THE TREASURY
U.S. CUSTOMS SERVICE
WASHINGTON

REFER TO

16 NOV 1983

The Honorable
Jeremiah Denton, Chairman
Subcommittee on Security and Terrorism
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

During hearings on October 28, 1983, in Mobile, the Subcommittee requested further information concerning the amount of narcotics entering the South Central Region via passengers, and ideas to accelerate the forfeiture procedures.

The projected 1983 drug threat in the South Central Region by type and amount of drugs entering the region as it pertains to passengers is as follows:

Drug	Threat by Air	Crew/ Passengers	Threat by Sea	Crew/ Passengers
Heroin	22 lbs	10 lbs	66 lbs	16.5 lbs
Cocaine	4,278 lbs	427 lbs	1,610 lbs	483 lbs
Marijuana	10,296 lbs	515 lbs	3,329,040 lbs	13,316 lbs
Hashish	1,143 lbs	114 lbs	28,215 lbs	no estimate

The processing of cases forwarded to Headquarters is time-consuming. Raising the jurisdictional amounts for the District Director to act upon would speed up case processing. Inflation has rendered the $25,000 and $50,000 limits obsolete. A $100,000 limit would better serve the forfeiture procedures. This limit would apply to Section 592 cases, liquidated damages and penalty cases, and seizure cases.

Sincerely,

for Richard W. Miller
Special Assistant to the Commissioner
for Congressional and Public Affairs

Senator DENTON. Commissioner Grimes.

STATEMENT OF ROBERT J. GRIMES

Mr. GRIMES. Thank you very much.

Mr. Chairman, I greatly appreciate the opportunity to be here in Mobile today to brief the members of this subcommittee on the current efforts of the Customs Service to interdict drug smuggling along the gulf coast.

As you know, Mr. Chairman, the historic port city of Mobile is one of two district headquarters within our south central region, which includes the States of Alabama, Mississippi, Tennessee, Arkansas, and Louisiana.

The charm of this great city's past is preserved in the quality of its architecture and in the manners of its people, but Mobile is not a city of yesteryear. To the contrary, as Customs Service officials know firsthand, this is a vibrant port city with an extraordinary future. With the splicing of the Tombigee and Tennessee Rivers, the late 1980's hold unlimited opportunities for international commerce here, and the role of the Customs Service here will increase proportionately with the prosperity that the State of Alabama and her neighbors are expected to enjoy.

Unfortunately, Mr. Chairman, I am here to report to you today on the darker side of international trade within my region and within the district of Mobile—drug smuggling.

As you may be aware, Mr. Chairman, I was appointed Commissioner of the five-State south central region only last month. What may not be apparent is the significance of Commissioner Von Raab's decision to appoint a law enforcement officer to oversee customs operations in this area. He gave me a clear mandate to redouble our enforcement efforts against drug traffickers, and it is his expressed desire to see the Mobile district and the rest of the region become the showcase for narcotics interdiction in the Nation.

As National Director of Customs Patrol until last month, I was keenly aware of the increasing drug traffic in the South Central Region. Three of our seven U.S. Customs regional offices—Miami, New Orleans, and Houston—work together to interdict the drug traffic within the gulf coast area. Ironically, the apparent shift in traffic to our area was a tribute to our success with Operation Florida, which forced drug smugglers to avoid our officers in the Southeast Region. Today, we consider the Mobile district to be part of the key threat corridor on the gulf coast.

The drug traffickers, particularly those smuggling cocaine, have shifted not only their locations but also their methods of penetrating our borders. Customs officers at Mobile noted that at the beginning of Operation Florida, in approximately March 1981, the route and method of smuggling narcotics into this area appeared to change markedly from the use of vessels to the use of aircraft.

Certainly, the Mobile statistics bear out that observation. From January 1960 until the beginning of Operation Florida some 15 months later, the Mobile District experienced a large influx of illegal importation of marijuana from South America by fishing vessels landing in the coastal areas. During that period, 12 vessels were seized and

months later, the Mobile District experienced a large influx of illegal same period, only one notable seizure of hard narcotics was made—600 pounds of cocaine aboard a twin-engine aircraft.

Since that time, this pattern has reversed itself. Only one vessel has been seized, while several aircraft have been interdicted. Information and intelligence from Customs Patrol, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Agency, State, and local agencies indicate that more and more narcotics are being smuggled into the area by long-range, twin-engine aircraft to points 200 miles or more from the gulf coast, as far north as Tennessee, West Virginia, and Arkansas. Most alarmingly, it appears that these pirates of the air now no longer smuggle low-grade marijuana as before. Instead, they are concentrating on entering such big-ticket items as high-grade marijuana, cocaine, and pills, particularly quaaludes. It further appears that large trafficking organizations are moving these drugs through our airspace for distribution in the Midwest and Northeast. Therefore, the increasing traffic through the Mobile District is of national significance.

Our intelligence estimates for the south-central region bear out just how significant this increase has become. We now predict that cocaine smuggling by private aircraft through the region will be virtually equal to that of the Florida region. We expect to be on the receiving end of more than 17,000 pounds of cocaine before the end of this calendar year. That figure is more than one-third of the total amount of cocaine that will cross our national borders this year in private aircraft, according to our intelligence reports.

This, Mr. Chairman, is an alarming statistic which deserves a top priority in our enforcement strategy.

Fortunately, I am able to report today that the Customs Service in this region has taken the initiative to crack down on air smuggling.

As I speak to you, a P–3 radar aircraft is being fitted for surveillance operations along the gulf coast. This is only the first such surveillance aircraft which the Customs Service will put into the skies above our borders next year. We will soon mount a detection threat to air smugglers that they have never faced before, and these surveillance aircraft will be backed up by new pursuit aircraft, including in this region even a Blackhawk helicopter for pursuit to remote landing strips.

These new aircraft are the tactical elements of our air module strategy, which combines detection, interception, seizure and arrest. One measure of the success of this strategy is the arrest of smuggler pilots. Many of them fly one load after another, so the arrest of just a few of these pilots can have a significant impact on the smuggling community.

The air smuggler is often flexible, well organized and has a resource base that is superior to ours. He flies sophisticated aircraft which he does not hesitate to ditch rather than be caught.

A large load of narcotics has a sale value which makes even a one-time trip profitable. Smuggler pilots are well paid, experienced, and willing to take high risks.

But as our experience with Operation Florida has shown, they are quite vulnerable to our air module strategy. Customs air interdiction results are measured not only in seizures and arrests, but also by disrupting smugglers, forcing them to change their smuggling routes and

methods, and deterring them from attempting to enter the United States by air.

Mr. Chairman, as I mentioned, one ironic tribute to the success of Operation Florida, as a deterrent to drug traffickers, has been the increase of smuggling into the south-central region. It is a war in which the fronts are shifting.

To meet this new threat to the Mobile District and the rest of our five-State region, Customs is deploying sophisticated equipment along the gulf coast. We are, incidentally, developing plans for another detached air unit in Alabama.

The Department of Defense has been particularly helpful in sharing information from its radar installations. We are also able to locate low-flying aircraft as they enter our airspace, thanks to the input from Navy E–2C's.

Furthermore, Army Cobra and Blackhawk helicopters have increased our ground arrest capability because of their speed and maneuverability. These aircraft allow us to follow a suspect aircraft at high speed and virtually set down alongside the violators before they have time to exit their aircraft.

We are eagerly awaiting the deployment of the Blackhawk in our region. The Army indicates delivery will be early next year.

We expect the acquisition of additional loaned military aircraft over the next 2 years which will mean a major shot in the arm to our interdiction efforts.

We also expect a Navy P–3 aircraft, equipped with radar for surveillance, to be deployed in the south central region early next year. This would give us the advantage of having greatly enhanced detection capabilities all along the gulf coast.

Mr. Chairman, as I noted earlier, there has been a significant decrease in marine smuggling activities within our region. This is a tribute to the success of not only the South Florida Task Force, but also to the Yucatan blockade by the U.S. Coast Guard.

The threat, however, still exists. For example, Mr. Chairman, in January, after a 4-day joint air and marine operation, we seized a shrimper with 28,000 pounds of marijuana aboard. The contraband was to be offloaded to a smaller 22-foot T-Craft, which was also seized. This wa s a classic mother ship smuggling operation, with the larger craft waiting offshore and the smaller vessel ferrying the bales of marijuana to land.

In June, another 49,000 pounds of marijuana were found concealed aboard a 200-foot tug, aboard which we discovered highly sophisticated navigational equipment.

To increase our deterrent threat to marine smugglers, we are upgrading our vessel resources by replacing them with high-speed pursuit models, specially equipped with sophisticated navigational and radar devices. Furthermore, we are currently formulating plans that will result in the establishment of tactical enforcement stations inland in Alabama and along the coast of southern Louisiana.

Our present marine module, operating out of Dauphin Island, AL, will be steadily increased in manpower and high-speed pursuit vessels throughout the next year. This module will direct and coordinate all marine operations conducted along the gulf coast from Gulfport to the Florida State border. The same actions are projected for the New

Orleans marine module, which covers the area from Lafayette, LA, to Gulfport.

Fortunately, the Customs Service is not alone in its efforts to build an unbreachable defense line between drug racketeers and the American public. The creation, earlier this year, of the Vice President's National Narcotics Border Interdiction System—NNBIS—has coordinated the efforts of all Federal law enforcement agencies and our military services as well in the expanding war on drug trafficking. Admiral Stewart, of the Coast Guard, is Chief of the New Orleans Regional NNBIS headquarters. It has been a particular pleasure to work with Admiral Stewart. As the Admiral has said, this cooperative program allows all Federal agencies and services to work smarter by pooling our resources and intelligence gathering capabilities.

Again, Mr. Chairman, I want to thank you for the opportunity to be here to present this testimony today. And now I would like, with your permission, to show the tape and to answer any questions which you may have. Thank you, sir.

Senator DENTON. Thank you. And we're looking forward to the viewing of the tape.

Mr. MILLER. I might add that this tape that you'll see, you are seeing the picture that shows up on the infrared device. Both of these air chases took place at nighttime.

[Video tape playback.]

Mr. MILLER. Mr. Chairman, I would like to explain the second aircraft that you saw there. It was sort of a serious and unfortunate situation. After that plane crashed later in the morning, a civilian plane, apparently curious as to what was going on, came into the area and just crashed itself. There was a fatality in that crash as well and I think it's still being looked into. But that was the red plane you saw there. And the person they had in the ambulance was that civilian pilot. He just sort of wandered into that area where really I think maybe he was paying a little bit too much attention to what was going on on the ground or something. We really don't know why he crashed.

Senator DENTON. Well, you mentioned the dangers associated with flying at night. The reason the man crashed, the second man crashed, is commonly characterized as target fixation which occurs in the military when you are looking for something like a tank and you wrap yourself up in a turn and stall out and spin in.

The hazards are evident, particularly to one who has served so long in aviation. I understand you, Mr. Miller, have flown one or more of those flights yourself?

Mr. MILLER. Well, I've been on some of their aircraft. We have been in some pursuits, and we've done some interceptions, and it was quite thrilling to me. But I was sort of along for the ride on those occasions. And I can certainly tell you that our officers who do this really on a regular basis, it's a very sobering and serious thing for them, I mean, I enjoyed it and it was exciting for me. But they really, I mean, we will come up behind the aircraft, quite close to the aircraft at night, following the smuggler. He doesn't know we're behind him. The lights are out. And they'll go into a strip and we've put our planes right in behind them. We run into automobiles, we run into other planes. We've had crashes. Thank the Lord, we haven't had any Customs fatalities. We'll land on the ground and we don't have any

people waiting for us. There might be a dozen or so bad guys and two or three Customs officers. And we've had fire on the ground and we've been very fortunate. Sooner or later, unfortunately, the odds are such that we may run into an unfortunate incident.

But, again, I think it's a tribute to the guys who are out there on the line. And, of course, Customs, FBI, DEA, the Coast Guard, all of the officers; I sit behind a desk, I don't have to risk my life or anything, but we've had folks out there who are really putting their lives in jeopardy every day to try to do something about the problem.

Senator DENTON. Well, they're certainly unsung heroes and there are many kinds of wars going on in the midst of peace, I guess.

The risks of flying at night without lights, without a clearance and really without any—if you're a single-piloted aircraft—really good means of knowing where you are exactly, without knowing where other aircraft are, as the gentleman said, in the plane, just looking to see, I hope, that's inherent. And I certainly admire the gentleman for carrying on that work without being recognized. They're essentially with all those clouds you saw flying an instrument flight without an instrument clearance. There is the danger that they can collide with themselves or collide with another aircraft which had been caught without clearance, which happens more often at night because in the day you can see the clouds. If there were thunderstorms or towering cumulous clouds there, which themselves can pose hazards, so, indeed, it is a risky business. I'm amazed that you haven't lost men.

Have you used this film as a deterrent, say, on public television, to those who might be discouraged?

Mr. MILLER. Yes.

Senator DENTON. And also, I think you show a rather grim aspect of it to those who would consider marijuana smoking.

Mr. MILLER. Yes. The film has been made available to the media. And part of the film has been displayed on one program, aired on one of the national networks as a segment of the interception and the chase and the crash. Yes, we will probably make that film more available. I'd like to have an opportunity at some point, Mr. Chairman, to maybe make it available to more Members of the Senate, maybe bring it up there at your convenience some time with yourselves, Senator Cochran, maybe some of the other Members, and let them see it. It's something that really everyone should see, to get a feeling of exactly what we're up against, and the nature of the smuggling business. Too many people seem to think it's a glamorous fun thing. It's a serious business. And you go out and you can talk with these agents and their officers about some of the things they run up on frequently.

And I guess the point I would make, this is a business full of a lot of scumbags, and these people belong behind bars. And I know that you and everybody else, we all want to do everything we can to lock these people up to stop this terrible trade. It's just a filthy scum business, that's all there is to it.

Senator DENTON. Well, as you know in our headquarters in Washington, DC, it's a horrible sight to see what drugs have done to part of that town. And as was pointed out by Mr. Grimes, it's not one which is confined to what might have been perceived in the past as an identifiable and reliable criminal element, but one which is spreading throughout our society.

I'll defer now to Senator Cochran for any questions or comments he has.

DEFENSE APPROPRIATIONS SUBCOMMITTEE ACTION

Senator COCHRAN. Thank you, Mr. Chairman. I want to commend you, Rick and Bob, for your testimony and for being here today and we appreciate your coming to this hearing.

As you know, when you were pointing out some of these assets that U.S. Customs Service has, we were able to get language through the Defense Appropriations Subcommittee providing for the use of P–3 aircraft and F–15 radar capabilities. And I thought I would just read into the record the short provision of the bill and report that will be finally approved, I think, on Monday by the full committee, and then go before the Senate.

After reciting the provisions about the hydrofoil ships that I described earlier in the day and the extra money for the Navy training missions for drug interdiction purposes, it says, in addition, the Air Force shall, with funds available, modify not less than three P–3A aircraft with F–15 intercept radars before transferring aircraft to U.S. Customs Service. The fiscal year 1985 budget requests should include sufficient funding to modify the remaining two P–3A aircraft planned for transfer and replacement of F–15 radar inventory requirement.

Then it mentions the Army Blackhawk. And it says, by January 1984 the Army is expected to transfer four Blackhawk helicopters to the U.S. Customs Service. The committee will consider replacement of these aircraft to Army inventory during the fiscal year 1985 budget request deliberations.

So, there you are, it's in the report, and I think it will stay in there. We don't anticipate any trouble with it.

Mr. MILLER. Well, it's gratifying to know that we have that kind of backing and support from the Senate. It means a lot to the troops in the field, and really everybody involved in this thing, that we've got the interest and attention of all the agencies in the war against drugs, the administration, the White House, the Vice President and the leaders in the Senate as well. So thank you very much.

Senator COCHRAN. Well, I just want to say to you, good luck in your new job, Mr. Commissioner. I know you've got a big job now and you'll work hard at it. And I commend you both for your presentation to the committee and keep up the good work.

Mr. GRIMES. Thank you very much, Senator. It certainly is a challenging position to be in. And I can assure you that I'll meet that challenge with all the resources that we can muster and all the personal drive that I can muster.

Senator COCHRAN. Thank you, Mr. Chairman.

Senator DENTON. Thank you. Senator Cochran. And it's a comfortable feeling to have worked with you, well, not exactly side by side here but on the posse comitatus entitlement or enablement in the Armed Services Committee to set this motion. And now we're working this way on drugs and we've had the pleasure of working together on the Tennessee-Tombigbee, as well as on the tennis court.

You promised us, Mr. Grimes, that you would mention something about moiety, I think. So I would appreciate any comments you have on that.

Mr. GRIMES. Well, the interesting aspect of that is, of course, the 25 percent of the resources that are seized are available to the informant that provided us the information which led to the seizure, up to $50,000, I think, which is the amount that it is as it now stands. Of course, that's a very valuable resource in being able to provide these funds to the actual informant that helps us in a case.

The unfortunate part of it is, while it's a substantial amount of money, the actual process that we go through to get that money processed, the administrative procedures are very lengthy and as everyone knows, the quicker that we can reward our informants, the more successful we will be in the future, and certainly the better it is for them. They've laid many times their personal life in jeopardy to provide us with this information. And a quick reward is certainly essential. The moiety payment system does not really provide that quick payment.

Senator DENTON. I've heard some Senators who do not understand the problem, say that you can't fight fire with fire in that respect, that the payoffs they get for delivering the drugs are such that we shouldn't be in there trying to match it from the other side. But I think they missed the point, that when an informant really blows the cover on something, he normally blows it on an entire system of drug trafficking, rather than on one operation. And it's money well spent, because it does cost plenty for a P–3, for example, to be tooling around the sky at night. I'm sure you're looking into the many facts as to the cost and results as you plan how you're going to ultimately deal with this tactically. I certainly have nothing but praise for the way that Senator Cochran and you all have gotten together on improving things. It's a lot better than it was a few years ago.

Mr. GRIMES. It's been testified to here by numerous witnesses, I think, the value of the intelligence for taking kind of enforcement action and the use of all this equipment that you see here, that we're acquiring. It's very good and it helps in drug interdiction. But it would be much more valuable if we had prior intelligence of where to put that equipment, and when to put it into the air. And, of course, that comes in many instances from informants, you're absolutely correct.

Senator DENTON. And the two witnesses this morning did well on it but, of course, the public is aware and should be reminded that aside from these rather dramatic and adventurous adventures into the sky, the Customs Department has a great role in clearing people who pass through the security lines and customs lines in the United States. And I don't know what the proportion is that comes in that way. Do you have any idea, that they try to get it in in their luggage and that sort of thing?

Mr. MILLER. I think we could supply that for the record, Mr. Chairman. But a significant amount of narcotics comes in that way. I would say that most of the cocaine, for example, is coming in in air cargo and it's being smuggled in on private aircraft. But we have seen, for instance, what's called the swallowers, where they will take, they will essentially swallow a balloon filled with cocaine, several balloons, 50 or 60 of them and they will try and come through as an air passenger and smuggle in a significant amount of cocaine. Of course, what's really sort of despicable about that is it's a dangerous procedure. If one of these packages bursts, it will kill the individual. And we see drug

smugglers, principally taking uneducated, economically deprived, poor Central and South Americans and training them to act as professional swallowers, and then they might pay them a couple thousand dollars, which is a fortune to someone from that area of the world who really doesn't have anything, and pay that person to ingest the cocaine, and try and walk through customs.

But we have developed a set of profiles, we don't like to discuss really the details of our profile system in public because it gives away too much information to the smugglers. But we have developed a set of profiles, and we have been training our inspectors to look for certain telltale signs, and certain documentation, and other things which would more than likely point out a potential violator. And, of course, we have the authority that we can stop someone and see that they are medically examined in a proper environment to see if they are, indeed, smuggling cocaine in that manner.

Also, some quantity of heroin comes in on passengers, we believe, as well.

Mr. GRIMES. We process over 310 million people a year coming into our country. And you can imagine that by far, well over 99 percent of those people are legal, law-abiding citizens. But even at that, you take a very, very small percentage, you've got a large number of people who do smuggle into this country.

Senator DENTON. You mentioned the lengthy administrative procedure regarding the forefeiture process. I won't ask you to relate orally suggestions to streamline that process. But I will ask you if you have papers in that respect already to make it available to us. If you do not, please summarize whatever you have in that respect because it does bear upon some of our duties.

Mr. MILLER. We will be delighted to supply that for you, Mr. Chairman. And, of course, we are appreciative of the work that you and the Judiciary Committee have already done with respect to forfeiture. And we're hopeful that some of the things that you've been working on, as they work their way through both Houses, will come to fruition and it will greatly help us in cutting down on the amount of time that it takes for this material to be forfeited to the Government. It will save the Government a lot of money and streamline a lot of the procedures as well. And we'll certainly provide you with an update on our most recent observations with respect to that.

Senator DENTON. Well, on behalf of Senator Hawkins, who is absent, and I think Senator Cochran missed some of your earlier opening statements in which you complimented him even more than he heard, I want to thank you on their behalf. And, of course, he can speak for himself for what he heard before. It's nice to hear such remarks, and in return, the FBI has had many radio and TV series, the armed services have had their emcees in movies and television, not all of which is favorable these days. But certainly the Customs Service has been reflected in that respect. And I just wanted to say that I have an extreme degree of respect for you, and admiration for you, and acknowledgment of the risks you take in a very important area in protecting the security of this country.

Mr. MILLER. Thank you, Mr. Chairman. If we ever have a Customs television show, they'll have to get somebody better looking than I am to be on it.

Senator COCHRAN. I have nothing further. Thank you again.
Mr. MILLER. Thank you very much.
Senator DENTON. You may be receiving written questions.
Thank you, gentlemen.
Mr. MILLER. Thank you.
Senator DENTON. Our next to the last witness will be Major B.R. Milner, division chief, Alabama Bureau of Investigation.
Major Milner, you've already heard your ABI complimented. And I look forward to hearing your opening statement.

STATEMENT OF MAJ. B.R. MILNER, DIVISION CHIEF, ALABAMA BUREAU OF INVESTIGATION

Mr. MILNER. Thank you, sir.
I would be remiss if I did not say that our cooperation from the Bureau of Investigation, Federal and DEA, Customs, Coast Guard, the whole length and breath of the Federal agencies has not been tremendous. We have not asked that we did not receive.
I would basically keep my remarks to the State of Alabama problem. And one of our problems as has been related to before me is the growing of domestic marijuana. And it is a problem. We also have other problems. But this is at least one of the primary problems of some of the rural counties in the State.
And with your permission, I would like to show this committee just what a marijuana stalk looks like. A lot of people when they say, marijuana, they think about some flower in a pot. But I have with me a stalk that we got from Lowndes County, AL, which is about 40 miles west of Montgomery, the location of this thing. Let me get the wrapper off of it where you can see it.
This marijuana stalk was 20 feet tall and the foliage from this plant would produce from three to five pounds of dry marijuana. This is one plant. As you can see, it's not a potted plant and you couldn't put it in your house. I don't think some people realize the problem that we do have with the domestic marijuana.
In conjunction with the Federal Bureau of Investigation, DEA, sheriff's office, city police officers, we have had a marijuana eradication program that Mr. Mullen alluded to and so did Mr. Stack. We have been in this State designated as the agency to keep up with all of this stuff. And I have records and reports that have come to me periodically that tell me just exactly what's happening as far as marijuana eradiction.
I would give you our totals through the 26th day of this month in this State. This encompasses all agencies who have been involved, not ABI, not DEA or not the FBI, it's everybody; local, city, county, State, Federal, the whole bit. As of the 26th day of this month we have found and pulled up 61,397 plants in a total of 481 different plots. Estimated value of this is $31,604,500. And this would be considerably low. The way we arrive at a figure is that in February if we started catching marijuana plants, they would come out of the greenhouses in pots and they wouldn't be worth a whole lot. So, over in the fall of the year when they grow 20 feet tall, they would be worth a lot. So, we have averaged it out and say that each plant would produce one pound, which is a low figure. And that's where this $31,000,000 came from.

In actuality, it would have probably been a whole lot more than that.

We made 99 arrests. We confiscated other drugs in conjunction with this. And we seized $58,000 worth of property. We seized six steel traps.

Senator DENTON. Six what?

Mr. MILNER. Steel traps, the old bear traps. These were placed in the fields, around the fields hoping that whoever was encroaching on their marijuana plots would step in one of them and get him away.

I have not seen but I have heard that in Florida they have encountered fish hooks, rattlesnakes tied to marijuana plants, and a lot of other varied ways of trying to protect their property.

Sensimilla is a high-grade marijuana and it requires constant care. Any time you find sensimilla you will find people who are constantly there. They manicure it, fertilize, water it, make sure that everything is just right, keep the bugs off of it. It also sells for about $2,000 a pound. So their efforts are rewarded in the price they get for their marijuana.

That's about all I have to say about it. I'll be glad to answer any questions.

Senator DENTON. Well, thank you, Major. That's very interesting about one not so benevolent sector of our agricultural community. Twenty feet high is about as high as this room, maybe a little bit higher.

Mr. MILNER. I have some pictures of it I would like to leave with the committee for their viewing of some actual plots of marijuana that we destroyed. And you can judge by the height of the people as to the height of the marijuana plants.

Senator DENTON. And you pulled up about $31 million worth of marijuana?

Would you care to estimate how much you haven't been able to pull up that exists out there right now, considering the difficulty of finding it among the pine trees and under the covers which are placed over them in many cases?

Mr. MILNER. Senator, I would be surprised if we have gotten as much as 20 percent of the total growth; I would be surprised if we have.

Marijuana plants are grown singular, they're grown in quantities of up to 1,000 plants. We find them, two plants behind a house or one plant along the interstate. It's just so easy to grow.

Senator DENTON. We have a statement here which was prepared, I'm not sure who gave this statement. Maybe it's your prepared statement. Therefore, I recommend to the committee that it take steps to broaden posse comitatus which would not restrict the use of manpower as well as equipment and intelligence, and make these resources available to local law enforcement officials upon proper request to ensure that every effort is made to combat this problem. Was that yours?

Mr. MILNER. That was not mine.

Senator DENTON. OK. There's no name attached to it, and I don't recall having heard it. It may have been the one, the next witness, Winston Orr, the chief of police. He's going to be represented by Jeff Stokes. Perhaps it's his.

Mr. MILNER. We have an excellent relationship with our National Guard commander. And he has been very successful in obtaining permission for us to use the military.

Senator DENTON. Well, Senator Hawkins asked me to ask that question. To what degree is the National Guard of the State of Alabama enjoying participation in this program; is there any formal arrangement other than the general posse comitatus provisions?

Mr. MILNER. We have excellent relations with the general and his staff. And we have had committee meetings from our people and his people and they have worked out procedures where we may obtain help from them. And they've got designated agents that we call day or night. And there are some limitations as far as aircraft and equipment, but those can be incorporated with training missions and what have you.

Senator DENTON. The Federal Bureau of Investigation man outlined his estimate of organized crime involvement, one of the statements being that there were no known links but that there were some parallels to it. Do you have any observations which you could give us today regarding organized crime involving drug trafficking in the State of Alabama?

Mr. MILNER. I don't think we have any organized crime figures as such living in the State. I do think we get an influx of some of their fruits such as these cocaine plants. I would not be so naive as to believe that those people that we arrested front all the money for that operation.

Senator DENTON. But you do get a number of individuals who deal on a short-term basis with narcotics?

Mr. MILNER. Yes, sir.

Senator DENTON. All right. We'll have a number of other questions for the record for written response, Major Milner.

In the interest of time, we'll dispense with them this morning.

Thank you very much for your cooperation.

Mr. MILNER. Thank you, sir, for the invitation.

Senator DENTON. Now, it's my understanding that Ron Wilhelm and Jeff Stokes of the Mobile Police Department will be representing Chief Orr who had to depart.

If they'll come forward. They're our final witnesses.

I will, without objection, introduce Chief Winston J. Orr's testimony, prepared testimony as is given into the record.

And I will proceed, however you gentlemen want to proceed, since Chief Orr has departed.

Now, we have some other testimony by Lieutenant Wilhelm and Corporal Jeff Stokes, to give their ranks proper. And you do have prepared testimony to give. Please proceed.

STATEMENTS OF LT. RONALD V. WILHELM AND CPL. JEFFREY A. STOKES, MOBILE POLICE DEPARTMENT

Mr. WILHELM. Good afternoon, Mr. Chairman. We welcome the opportunity to represent the Mobile Police Department and the citizens of Mobile before this committee today.

I call your attention to the information package which has been provided to you. The contents of this package will aid you in following our testimony.

At this time I would like to defer to Corporal Jeffery Stokes who will begin our testimony.

STATEMENT OF JEFFREY A. STOKES

Mr. STOKES. Thank you, Senator.

The purpose of the following information outline is to briefly describe certain evaluative assessments of the efforts being exerted by the Mobile Police Department in the area of drug enforcement as it relates to the interest of your subcommittee.

In addition, inclusive observations and appraisals of drug enforcement operational efforts in the Gulf States region is provided for the review of the panel.

No. 1, assessment of impact of illegal drugs entering the Gulf States. Noticeable increase of cocaine supply in the region. Notable increases in pharmaceutical drugs such as Talwin, Dilaudid and Demerol which is a problem that we're having an increased amount of input into in the area in comparison to the relative increase of illegal drugs.

1982 larceny was up 44.6 percent from 1979. 1982 burglaries were up 25.1 percent from 1979.

Accessibility of illegal drugs has increased in the schools as evidenced by the intensified enforcement programs adopted in the Mobile County School System and by the resultant increases in the number of drug-related offenses investigated at this level.

In the school year 1979–80, drug-related cases were put at 172 in the Mobile County School System. 1980 to 1981, drug cases were 193. 1981 to 1982, drug-related cases were 574. Quite a step above.

This statement is further supported through interviews and interrogation of offenders who indicate that supply, accessibility, and availability of illegal drugs have increased dramatically in our area.

Corresponding increase of dealers and users as a result of the greater supply and accessibility of illegal drugs.

Notable increases in the amount of illegal drugs seized by authorities, particularly in cocaine seizures and corresponding amounts of cocaine importation. Seizure quantity has increased from an average 2-ounce quantity in 1980 to a 10-ounce average in 1982.

Likewise, larger and more frequent marijuana seizures have resulted through departmental enforcement efforts. Indicators are that there is a larger shared involvement by a greater number of offenders in illegal area importation.

Senator DENTON. Excuse me. You're referring to material you have given us here?

Mr. STOKES. Yes, sir. That's material that's not covered in this particular material that I'm reading now. This is additional material we'll get to you.

Senator DENTON. All right. Will you make that available to us also?

Mr. STOKES. Yes, sir, absolutely.

Definite increases in the quantity and quality of domestic marijuana cultivation. Cases involving marijuana cultivation for personal as well as large-volume commercial distribution have been recorded in our immediate region.

Analysis of domestic product has demonstrated increases of the THC content of the locally/regionally cultivated plant. What that means is that the THC content—the psychoactive ingredient in the marijuana that's being grown locally—has a higher content of this THC in the locally grown plant than what we were having smuggled in.

ECONOMIC CONSIDERATIONS

Although quantities of illegal drugs, cocaine, and marijuana, have increased in the region, prices of these drugs have likewise increased with the supply. Indicators are that enforcement efforts have resulted in a greater risk factor for the offender/importer. This together with a greater demand for the drugs has brought about the price increase. An example is, in 1983 marijuana street costs represent a 50- to 100-percent increase over prices in 1980.

Millions of regional dollars are being spent for the purchase of illicit drugs thereby creating an economic drain and underdevelopment of the local region. This factor relates directly to the previously reported rise in property crime within our jurisdiction.

Review status of Federal, State, and local drug interdiction efforts. Working relationships of all levels of enforcement are at an all-time efficiency.

Crime Information Exchange, a locally founded organization comprised of members from all levels of enforcement which congregates monthly for the explicit purpose of exchanging and communicating intelligence and investigative matters of mutual concern. Expansion of this organization including members from adjacent Gulf Coast States was accomplished in September 1983.

Joint operational investigations between Federal, State, and local agencies are common. Recent undercover sting operations have resulted in the solution of numerous offenses and the apprehension of violators.

Joint efforts have consistently resulted in the arrest and prosecution of drug violators. An interdependency and reliability of agencies in our efforts to thwart drug trafficking has been manifested as an integral part of operational policy.

Current investigations are at this moment underway through the joint cooperation of all areas enforcement agencies. An expected continuation of these matters is anticipated.

Exploring the opportunities for enhancement of interdiction efforts. In view of the reported increases of domestic marijuana cultivation, it is the opinion and recommendation of our agency that greater monetary appropriations be earmarked for the detection and eradication of domestic marijuana in the region.

In consideration of the vast increases in domestic marijuana cultivation, it seems absolutely necessary that a greater enforcement effort from the air be undertaken.

As an example of our present underachievement in this area, the State of Alabama currently has but one aircraft assigned to this region for this purpose.

Along the lines of similar reasoning, we foresee the immediate need for a more intensified enforcement effort directed to the near shore and coastline borders. The Alabama and Mississippi coasts have literally hundreds of Gulf accessible waterways leading to inland sites where

illegal importations of drugs are culminated. Through such an intensification of waterway patrols and detections on the parts of local authorities, we believe that a noticeable reduction in drug smuggling activities would result.

Mobile is a seaport community with worldwide trade. We feel that a more coordinated effort between State docks enforcement authorities and local police agencies should be undertaken to insure a greater and more effective scrutiny of the incoming cargos aboard seagoing vessels.

Senator DENTON. Excuse me. Between what two groups?

Mr. STOKES. Between the State docks people and the local law enforcement, whether it be city or county. We're trying to instigate something in that nature now to get a little better cooperation.

This effort should also include the U.S. Customs office in order that a vital prevention can be attained in our port. This same intensity of coordinated effort and revitalization of enforcement objective should apply to each and every gulf coast port.

Although communications channeled between Federal and local authorities has in recent years improved dramatically, there is, in our opinion, still area for more improvement. We would suggest that a more immediate disbursement of vital information be transferred via the El Paso Intelligence Center and other other similar agencies to local authorities, thereby providing for a more efficient and aware approach to the enforcement responsibility of local authorities.

The singular most important recommendation of endorsement that the Mobile Policy Department can convey to this subcommittee is one of total commitment on the parts of all enforcement agencies to the ultimate goal of detecting, apprehending, and preventing drug smuggling into our region.

STATEMENT OF RONALD V. WILHELM

Mr. WILHELM. I have some general information statements pertaining to drug activity in the region with emphasis on the jurisdictional territory of the city of Mobile.

Investigative efforts and subsequent reports compiled by State authorities indicate that over 60,000 marijuana plants have been seized and destroyed in the State of Alabama during the first 9 months of 1983.

This statement and these figures serve in support of the previous testimony on the part of Corporal Stokes in relation to the increased level of domestic marijuana cultivation. Domestic cultivation has not only increased in this area but we have also noted during recent weeks an influx of marijuana from the midwestern area of the country. These discoveries have led to communications with enforcement authorities from that region who have confirmed an increasing level of domestic marijuana cultivation in their area. Obviously, the successes of the Task Force in South Florida have had an affect outside our own region relative to domestic cultivation of marijuana.

In regard to the enforcement efforts being exerted toward this particular problem, it is our recommendation that continuance of support for air surveillance programs coupled with subsequent eradication plans to be given high priority. In addition, greater support and en-

couragement toward the utilization of the asset seizure statute would serve as a more effective enforcement tool and as a deterrent for those persons less willing to sacrifice material holdings as a result of their involvement in the cultivation, storage and/or transportation of marijuana. Furthermore, inclusion of the Internal Revenue Service as a more involved investigative agency would result in establishing sources and patterns of income for suspected offenders.

Enclosed in the informational packets are photographs and other related documents concerning the unauthorized air importation of illegal drugs. The Federal Aviation Agency reports that there are approximately 30 airstrips in a four-county area of south Alabama and south Mississippi capable of handling the landings of medium to large aircraft. Further statistical information obtained from the Alabama Bureau of Investigation estimates that a minimum of three aircraft fully laden with illegal drugs are flown into and landed daily within the State of Alabama. This estimation is perhaps conservative when consideration is given to the seizures of 8½ tons of marijuana by ABI agents in March 1982 and the more recent seizure of 815 pounds of cocaine in Montgomery, AL. These seizures and their respective amounts indicate that trafficking into our State is indeed on the increase as a result of the successful interdiction efforts in south Florida.

We would respectfully request that in response to this problem that operational methods, practices and efforts of the same type utilized in the task force region now be implemented and applied in the gulf coastal area.

As you can see from the graph information provided to you, the categorical listings of marijuana seizures, cocaine seizures and the related number of police contacts with drug-related activities have dramatically increased since the time that the task force has been in full operation. We would like to believe that our investigative skills are the primary reason for these increases, but the simple fact is that there is simply a greater availability of drugs in our jurisdictional area than at any previous time.

We have implemented the following measures in an attempt to more effectively meet this problem.

No. 1, increased the number of investigative personnel assigned to our unit.

No. 2, began a program of intensified drug-related investigations focused or targeted on a particular person or persons.

No. 3, a continuation of the selection and assignment of top investigative officers to joint investigative efforts involving other enforcement agencies.

No. 4, the application of certain innovative investigative methods such as reverse undercover operations which have proven so successful in other locales.

No. 5, and lastly, but certainly important in view of the fact that statistics indicate a slight reduction in the number of drug-related offenses committed by juveniles, the creation of a drug education unit which has met great success in the area community awareness and cooperation in our efforts toward drug enforcement.

This concludes our testimony. Thank you.

[Submissions of Messrs. Orr, Wilhelm, and Stokes follow:]

PREPARED STATEMENT OF WINSTON J. ORR

Mr. Chairman: The insidious increase of substance abuse into the civilian work forces of this country is seriously impairing our productivity and our very existence in a competitive world that we find ourselves in. This problem does not stop with the civilian work force. It is commonly known that services of the military branches are equally impaired by the substance abuse.

Therefore, I recommend to the committee that it take steps to broaden the posse comitatus philosophy, which would not restrict the use of manpower as well as equipment and intelligence information and make these resources available to local law enforcement officials upon proper request to insure that every effort is made to combat this problem. Services of the military branches should make a monthly commitment, including resources required to assist when requested by local authorities in the search and destruction of agricultural production of narcotics and the manufacture of drugs in this country.

Mr. Chairman, in closing, we feel that this is a national problem that can be resolved by total national commitment so that we can properly reduce the drug problem in this country to manageable proportions. Your committee should be keenly aware that local law enforcement in the Southeast is poorly budgeted and does not have the resources available to fight this problem alone.

I thank the committee for its interest in our problem and for allowing us the opportunity to relay our ideas about this serious problem.

ADDITIONAL STATEMENT OF WINSTON J. ORR, PRESIDENT, ALABAMA CHIEFS ASSOCIATION

IMPACT ON THE PORT OF MOBILE AND THE SURROUNDING AREA RESULTING FROM THE SOUTH FLORIDA DRUG TASK FORCE

Preface

The South Florida Task Force established by President Reagan in 1982 and headed by Vice President Bush, has shown a substantial increase in the interdiction of smuggling by air, sea, and on land. This coordinated effort involving Federal, State and local law enforcement agencies and military support activities, has shown great success in interdicting drug trafficking.

The activities and success of the South Florida Task Force have had a definite impact on other areas along the Gulf Coast. The Coast Guard and Naval blockade of the Yucatan Peninsula and the use of such sophisticated equipment as Air Force AWACS and other radar facilities to interdict drug trafficking in South Florida has caused those persons who would traffic in dangerous drugs and narcotics to prey on less organized areas of the country, including Mobile, Baldwin, Montgomery and Escambia counties in Alabama, as evidenced by the seizure of some eight hundred and fifteen pounds of high grade cocaine on August 3, 1983 at Dannelly Field in Montgomery, Alabama.

Just as the military community was caught unprepared by its involvement in the South Florida Task Force, we now find ourselves as law enforcement officers unprepared to identify our total needs in terms of military assistance. Further, there are administrative obstacles and confusion in procuring military assistance, and a pronounced lack of effective liaison between the Department of Defense and the civilian law enforcement community. This impairs the ability of the agencies involved to identify the needs and limitations of one another.

I feel it would be in order for me to suggest that such liaison be set up through the International Association of Chiefs of Police, which would establish guidelines and instructions to be disseminated to all member chiefs on a national basis. Our success in drug interdiction is limited because of jurisdictional boundaries, limited resources and a lack of organizational ability to operate on the scale of the Florida Task Force.

Problem identification

1. There are numerous locations in South Alabama where smuggler aircraft can land undetected. Local law enforcement does not have the capability to monitor these sites on a full time basis.

Response to the problem

Target areas of the Gulf Coast should be equipped with tethered balloons (aerostats) which would provide the capability to detect low-flying aircraft. This information should be monitored by military installations at Eglin Air Force Base at Fort Walton, Naval Air Station at Pensacola, Coast Guard Base at Mobile and Keesler Air Force Base at Biloxi. This information should be given to law enforcement agencies when suspect aircraft have landed; further, Federal Aviation Administration employees who monitor civilian aircraft should react in the same manner.

2. The ability to detect illicit activity in the numerous coves and inlets along the coast line is also virtually non-existent due to the limited resources of local law enforcement.

Response to the problem

The United States Coast Guard should increase patrol activities, both air and water in these areas. We request the Coast Guard pass any intelligence data of suspected drug trafficking vessels, particularly those vessels identified by the Inter-American Maritime Intelligence Network or the El Paso Intelligence Center, to the local law enforcement agency having jurisdiction.

3. With the South Florida Blockade and the Yucatan Blockade, there has been an increase in the volume of "home-grown" marijuana resulting in an increased need for aerial surveillance to locate such sites.

Response to the problem

The amount of military training in the immediate area of the Port of Mobile is enormous, with the U.S. Naval Air Training Center located at Pensacola, the U.S. Coast Guard Training Center in Mobile and the Air Force Training Center in Biloxi. We recommend that military pilots and personnel be furnished training in the recognition of marijuana fields and to report suspect locations to local authorities. This training should also be extended to Reserve and Air National Guard units.

CITY OF MOBILE

MOBILE, ALABAMA

COMMISSIONERS
GARY A. GREENOUGH
ROBERT B. DOYLE JR
LAMBERT C. MIMS

PLEASE ADDRESS REPLY TO

Lieutenant Ronald V. Wilhelm
Mobile Police Department
Narcotics Section
and
Corporal Jeffrey Stokes
Mobile Police Department
Narcotics Section
%
Police Annex
457 Church Street
Mobile, Alabama 36602

AN OVERVIEW OF DRUG TRAFFICING IN THE AREA OF MOBILE, ALABAMA

Presented to

Members of the United States Congress

Presented at

Mobile, Alabama, October 28, 1983

TOPIC: TESTIMONY BEFORE SUBCOMMITTEE HEARING INTO DRUG INTERDICTION ON THE GULF COAST

I. ASSESSMENT OF IMPACT OF ILLEGAL DRUGS ENTERING THE GULF STATES

II. REVIEW STATUS OF FEDERAL, STATE AND LOCAL DRUG INTERDICTION EFFORTS

III. EXPLORATION OF OPPORTUNITIES FOR ENHANCEMENT OF INTERDICTION EFFORTS

IV. PERTINENT INFORMATIONAL STATEMENTS:

A. DESCRIPTIONS OF PARTICULAR DRUG ACTIVITIES

B. RECOMMENDATIONS FOR CONSIDERATIONS

CITY OF MOBILE

MOBILE, ALABAMA

COMMISSIONERS
GARY A. GREENOUGH
FINANCE
ROBERT B. DOYLE JR
PUBLIC SAFETY
LAMBERT C. MIMS
PUBLIC WORKS

OCTOBER 28, 1983

PLEASE ADDRESS REPLY TO P. O. Box 1827
Mobile, Alabama 36633

TO: Senate Judiciary Committee
Subcommittee on Security and Terrorism

FROM: Lieutenant Ronald V. Wilhelm
Corporal Jeffery A. Stokes

RE: Testimony before Subcommittee Hearing into Drug Interdiction on the Gulf Coast

The purpose of the following informational outline is to briefly describe certain evaluative assessments of the efforts being exerted by the Mobile Police Department in the area of drug enforcement as it relates to the interest of your subcommittee.

In addition, inclusive observations and appraisals of drug enforcement operational efforts in the Gulf States region is provided for the review of the panel.

I. ASSESSMENT OF IMPACT OF ILLEGAL DRUGS ENTERING THE GULF STATES

A. Noticeable increase of cocaine supply in the region

1. More cocaine readily available at "street level"
   a) Noteable increases:Pharmacuticals(talwin,dilaudid,demerol)
2. Noteworthy increase in corresponding levels of property crime in the area in comparison to the relative increase of illegal drugs
   1982 Larceny (up 44.6% from 1979)
   1982 Burglary (up 25.1% from 1979)

3. Accessibility of illegal drugs has increased in the schools as evidenced by the intensified enforcement programs adopted in the Mobile County School System and by the resultant increases in the number of drug-related offenses investigated at this level.

   a. This statement is further supported through interview and interrogation of offenders who indicate that supply, accessibility and availability of illegal drugs have increased dramatically in the area.

   b. Corresponding increase of "dealers" and "users" as a result of the greater supply and accessibility of illegal drugs

4. Notable increases in the amounts of illegal drugs seized by authorities

   a. Particularly - cocaine seizures and corresponding amount cocaine importations (i.e., Seizure quantity has increased from an average 2 oz. quantity in 1980 to 10 oz. average in 1982)

5. Likewise, larger and more frequent marijuana seizures have resulted through departmental enforcement efforts. (Indicators are that there is a larger shared involvement by a greater number of offenders in illegal area importations.)

6. Definite increases in the quantity and quality of domestic marijuana cultivation.

   a. Cases involving marijuana cultivation for personal, as well as large volume "commercial" distribution, have been recorded in our immediate region.

1. Analysis of domestic product has demonstrated increases of the THC content of the locally/regionally cultivated plant.

7. Economic Considerations

a. Although quantities of illegal drugs (i.e., cocaine and marijuana) have increased in the region, prices of these drugs have likewise increased with the supply. Indicators are that enforcement efforts have resulted in a greater risk factor for the offender/importer; this together with a greater demand for the drugs has brought about the price increase. (Example: 1983 marijuana "street" costs represent a 50-100% increase over prices in 1980.)

b. Millions of regional dollars are being spent for the purchase of illegal drugs, thereby creating an economic drain and underdevelopment of the local region. (This factor relates directly to the previously reported rise in property crimes within our jurisdiction.)

II. REVIEW STATUS OF FEDERAL, STATE AND LOCAL DRUG INTERDICTION EFFORTS

A. Working relationships of all levels of enforcement at an all-time efficiency

1. Crime Information Exchange - A locally founded organization comprised of members from all levels of enforcement which congregates monthly for the explicit purpose of exchanging and communicating intelligence and investigative matters of mutual concern. Expansion of this organization to include members from adjacent Gulf Coast States was accomplished in September 1983.

2. Joint operational investigations between Federal, State and local agencies are common (i.e., Recent undercover "sting" operations have resulted in the solution of numerous offenses and the apprehension of violators.)

3. Joint efforts have consistently resulted in the arrest and prosecution of drug violators. An interdependency and reliability of agencies in our efforts to thwart drug trafficking have been manifested as an integral part of operational policy.

4. Current investigations are at this moment underway through the joint cooperation of all area enforcement agencies. Expected continuation of these matters is anticipated.

III. EXPLORING THE OPPORTUNITIES FOR ENHANCEMENT OF INTERDICTION EFFORTS

A. In view of the reported increases of domestic marijuana cultivation, it is the opinion and recommendation of our Agency that greater monetary appropriations be earmarked for the detection and eradication of domestic marijuana in the region.

B. In consideration of the vast increases in domestic marijuana cultivation, it seems absolutely necessary that a greater enforcement effort from the air be undertaken.

1. As an example of our present underachievement in this area - the State of Alabama currently has but one (1) aircraft assigned to this region for this purpose.

C. Along the lines of similar reasoning, we foresee the immediate need for a more intensified enforcement effort directed to the near shore and coastline waters. The Alabama and Mississippi coasts have literally hundreds of Gulf accessible waterways leading to inland sites where illegal importations of drugs are culminated. Through such an intensification of waterway patrols and detections on the parts of local authorities, we believe that a noticeable reduction in drug smuggling activities would result.

D. Mobile is a seaport community with worldwide trade. We feel that a more coordinated effort between State Docks enforcement authorities and local police agencies should be undertaken to insure a greater and more effective scrutiny of the incoming cargoes aboard seagoing vessels. This effort should also include the United States Customs office in order that a vital prevention can be attained in our port.

This same intensity of coordinated effort and revitalization of enforcement objective should apply to each and every Gulf Coast Port.

E. Although communications channelled between Federal and local authorities has in recent years improved dramatically, there is in our opinion, still area for more improvement. We would suggest that a more immediate disbursement of vital information be transferred via the El Paso Intelligence Center (EPIC) and other similar agencies to local authorities, thereby providing for a more efficient and aware approach to the enforcement responsibility of local authorities.

1. The singular most important recommendations of endorsement that the Mobile Police Department can convey to this subcommittee is one of total commitment on the parts of all enforcement agencies to the ultimate goal of detecting, apprehending and preventing drug smuggling into our region.

IV. General Informational Statements Pertaining to Drug Activity in the Region with Emphasis on the Jurisdictional Territory of the City of Mobile.

A. Investigative efforts and subsequent reports compiled by State authorities indicate that over 60,000 marijuana plants have been seized and destroyed in the State of Alabama during the first 9 months of 1983.

This statement and these figures serve in support of the previous testimony on the part of Corporal Stokes in relation to the increased level of domestic marijuana cultivation. Domestic cultivation has not only increased in this area but we have also noted during recent weeks an influx of marijuana from the mid-western area of the country. These discoveries have led to communications with enforcmeent authorities from that region who have confirmed an increasing level of domestic marijuana cultivation in their area. Obviously, the successes of the Task Force in south Florida have had an affect outside our own region relative to domestic cultivation of marijuana.

In regard to the enforcement efforts being exerted toward this particular problem, it is our recommendation that continuance of support for air surveillance programs coupled with subsequent erradication plans be given high priority. In addition, greater support and encouragement toward the utilization of the asset seizure statute would serve as a more effective enforcement tool as a deterent for those pgrsons less willing to sacrafice material holdings as a result of their involvement in the cultivation, storage and/or transportation of marijuana. Furthermore, inclusion of the Internal Revenue Service as a more involved investigative agency would result in establishing sources & patterns of income for suspected offenders.

B. Enclosed in the informational packets are photographs and other related documents concerning the unauthorized air importation of illegal drugs. The Federal Aviation Agency reports that there are approximately 30 airstrips in a four county area of south Alabama and south Mississippi capable of handling the landings of medium to large aircraft. Further statistical information obtained from the Alabama Bureau of Investigation estimates that a minimum of 3 aircraft fully laden with illegal drugs are flown into and landed daily within the state of Alabama. This estimation is perhaps conservative when consideration is given to the seizures of 8½ tons of marijuana by ABI agents in March 1982 and the more recent seizure of 815 pounds of cocaine in Montgomery, Alabama. These seizures and their respective amounts indicate that trafficking into our state is indeed on the increase as a result of the successful interdiction efforts in South Florida.

We would respectfully request that in response to this problem that operational methods, practices and efforts of the same type utilized in the Task Force region now be implemented and applied in the Gulf Coastal area.

C. As you can see from the graph information provided to you, the categorical listings of marijuana seizures, cocaine seizures and the related number of police contacts with drug related activities have dramatically increased since the time that the Task Force has been in full operation. We would like to believe that our investigative skills are the primary reason for these increases but the simple fact is that there is simply a greater availability of drugs in our jurisdictional area than at any previous time.

We have implemented the following measures in an attempt to more effectively meet this problem:

1. Increased the number of investigative personnel assigned to our unit.

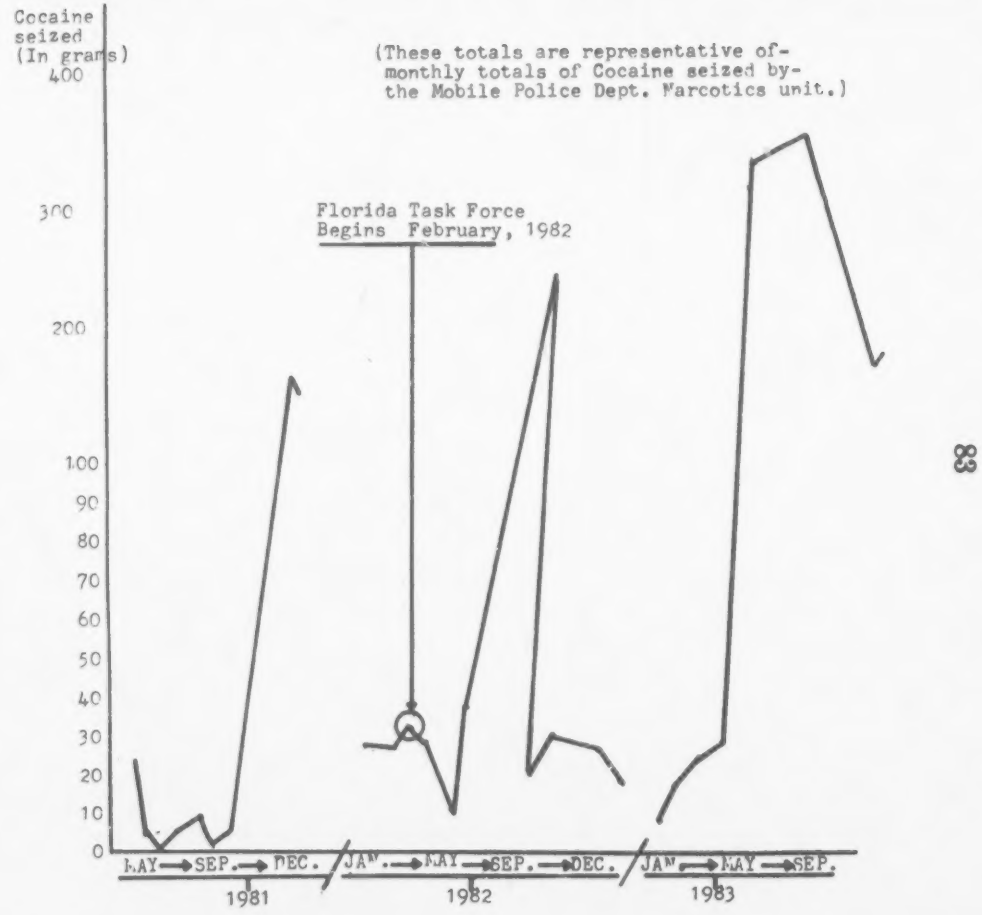
2. Began a program of intensified drug related investigations focused or targeted on a particular person or persons.

3. A continuation of the selection and assignment of top investigative officers to joint investigative efforts involving other enforcement agencies.

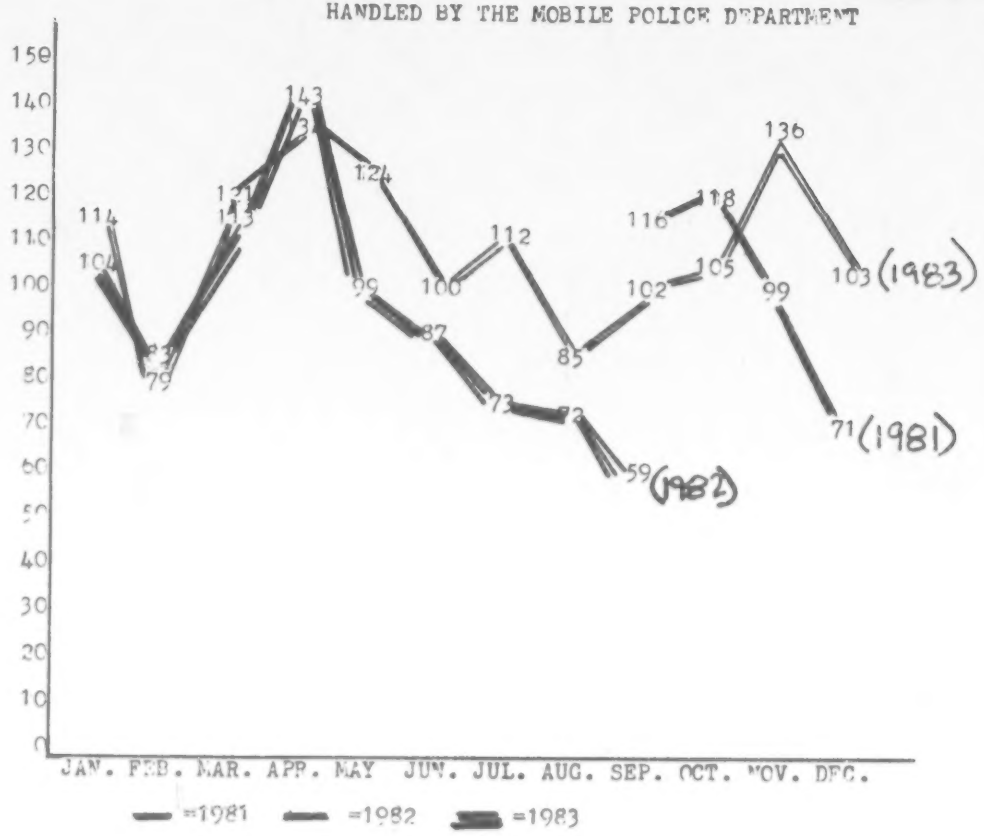
4. The application of certain innovative investigative methods such as reverse undercover operations which have proven so successful in other locales.

5. And lastly, but certainly important in view of the fact that statistics indicate a slight reduction in the number of drug-related offenses committed by juveniles, the creation of a Drug Education Unit which has met great success in the area of community awareness and cooperation in our efforts toward drug enforcement.

This concludes our testimony. Thank you.


Cocaine seized (In grams)
400
300
200
100
90
80
70
60
50
40
30
20
10
0
(These totals are representative of- monthly totals of Cocaine seized by- the Mobile Police Dept. Narcotics unit.)
Florida Task Force Begins February, 1982
MAY → SEP. → DEC.
JAN. → MAY → SEP. → DEC.
JAN → MAY → SEP.
1981
1982
1983

COMPARISON OF SEPTEMBER, 1981 THROUGH SEPTEMBER, 1983 DRUG RELATED CALLS HANDLED BY THE MOBILE POLICE DEPARTMENT



Senator DENTON. Thank you very much, gentlemen. I want to make sure that I do have all of that related to all of this that you gave us previously. And I want you to relay my thanks to Chief Orr, if you will, for your testimony here. And I regret that he had to depart.

Can we ask you these questions and expect that you can address them on their behalf?

Mr. STOKES. We'll attempt to, yes, sir.

Senator DENTON. All right. These represent the changes that occurred in cocaine seizures and arrests and drug-related calls handled by you since the Florida Task Force began.

I gather that you orally suggest that there have been more and that would be reasonably backed up by what's here on these graphs except on the drug-related calls which may seem to have dropped of somewhat. I don't know what the information for that would be. The others you have on the chart showing the arrests made by the Mobile Police Department Narcotics Unit only which I imagine represents, I don't know what other arrests might have been made. But you have a peak at the beginning of the Florida Task Force in January 1982 and then a dropoff throughout that year. And then a pickup to a higher peak in 1983. Does that characterize the trend?

Mr. WILHELM. That's a correct interpretation, yes, sir.

Senator DENTON. The FBI witness indicated that he thought it was unclear as to how much of an increase there may have been in drug traffic through this area since the task force was formed, the South Florida Task Force. Nothing he said would have ruled out an increase but I want to make sure that I have you straight.

Do I understand you correctly in that you believe or you are convinced that there has been an increase?

Mr. WILHELM. On the local level, yes, sir. A great many of the arrests and contacts reflected on those graph charts, and particularly the last one, reflect arrests for pharmaceutical products which we on the local level are very burdened. It comprises a great portion of our work percentage time.

Senator DENTON. In other words, some of the increase here may not be attributable to solely the South Florida Task Force but such things as an increase and emphasis on pharmaceutical drugs?

Mr. WILHELM. That's correct, sir.

Senator DENTON. OK. If you do get any more conclusive or comprehensive indication of an increase, we would ask to be tuned in as you proceed with those impressions.

If you had to list in an order of priority those categories which most critically needed improvement in the Mobile Police Department, which ones would you place near the top in the following categories: manpower, money, equipment, intelligence data?

Mr. WILHELM. From personal experience, I would have to say manpower. The entire police department, in particular the unit which I command, the narcotics unit, is understaffed in terms of being able to provide the necessary man-hours to carryout the investigation with which we are charged. So I would think if we had more individuals and certainly attentiveness to those other things that you mentioned. But most importantly, more people to do the job. Then we could, in fact, do a better job.

Senator DENTON. Well, it's my impression from many hearings in Washington and throughout the country, with marijuana illegal it's almost impossible to even go after the users, for example. Therefore, there is very little deterrence in that respect.

Is that generally an accurate statement?

Mr. WILHELM. It's very much like climbing up a wall and trying to deter and apprehend the user. That is a correct statement. However, we as local enforcement officers bear a certain responsibility in attempting to at least clean up the street sales.

The common user in this area of town and certain specific areas of this town are very visible. And they are very much of a thorn in our side in that we get constant complaints. We feel that we must react to these complaints even though it may result in an arrest that afternoon and the offender out on the street again the following day. And I think that if we were negligent in that respect, we wouldn't be meeting our responsibility.

Senator DENTON. But it does seem from what you just said about Mobile that it parallels to what exists in Washington, DC, where certain neighborhoods are dominated by drug trafficking. And I believe even without police interference, the name which has been applied to one of those neighborhoods is the shooting gallery, which I suppose involves shooting between the supplier who hasn't been paid off and the user who pleads for more or the user shooting the supplier because he won't give it to him. And also the shooting gallery means the needle into the vein.

It seems that we have come to a sad point and I'm not sure we're getting, we're making improvement nationally. And it's a particularly tragic thing when the need for the resupply of whatever drug that is addictive causes, as you indicated by the property thefts, crime in that area as well as crime, assault, murders and so forth.

In Mobile, do you see that as getting better, about the same, or worse in general, overall?

Mr. WILHELM. I would say at this point that it's about the same as it was over the last 2- to 3-year period. We have reached what we like to think of as a position of stability.

Senator DENTON. A plateau from which you hope to descend?

Mr. WILHELM. We certainly do.

Senator DENTON. I want to thank you, Lieutenant Wilhelm, and you, Corporal Stokes, for your testimony here this morning.

And I wish to say, for what it's worth, that all of the hearings I've attended on drugs I have not attended one which covered the spectrum from the highest Federal level to the local level and also the spectrum from one agency through the other. Usually I am overseeing or holding oversight hearings on the DEA or the FBI or attending briefings at one or the other of those places.

I have excellent rapport with the Customs Service and the Department of Defense, of course. But I don't think I've ever been privileged to share a more comprehensive hearing or a more useful hearing. And I'd like to compliment those who attended because of their interest. And I'd like to compliment the media for their constant attendance.

In Washington if you want to get anything over, sometimes it's impossible to even do that. You're coping with a 12 o'clock deadline. You start the hearing at 10, usually. Everybody is bugged out by 12 and some of the more important things happen after that. So I admire your patience and perseverance.

I can't help but notice the reference to the junior league who with the law enforcement agencies have cooperated and the junior league has made drug abuse their No. 1 service project. It's been Linda Hollingsworth, as I understand it, who has been a noteable leader in the drug abuse project. I'd like to compliment the Mobile Junior League.

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